

NEWS IN BRIEF

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Bill Introduced to Tighten the Sec. 321 Process

Congressman Earl Blumenauer (D-OR), the Chairman of the House ways and Means Committee, has announced new legislation to toughen requirements for release of de minimis shipments (Section 321) with value under \$800.00. Representative Blumenauer wants to eliminate loophole that will make it easier for people to allow better oversight on the goods coming in for safety and security and to stop non-market economies from exploiting the de minimis threshold.

The bill, the Import Security and Fairness Act, would prohibit de minimis release of goods from countries that are both non-market economies and on the USTR watch list. It would also exclude goods subject to enforcement actions such as Section 301 duties. It would also restrict the use of offshore facilities to receive and store goods for use in individual shipments that would be sent separately to qualify for Section 321 release.

A copy of the bill can be found by clicking [here](#).

ACE Portal Modernization Coming January 22, 2022

U.S. Customs and Border Protection (CBP) is ready to deploy the first phase of the modernization of the ACE Portal. Phase 1 which will be deployed on January 22, 2022, will include a new login screen, a new home page and upgraded information displays. The new login screen will allow users to create a new username and password. Using the new login will still allow a link to the user's existing ACE Portal access.

Current users of the ACE Portal will have a month to do the transition and link their accounts. As of February 20, 2022, users will no longer be able to log in from the current legacy login page. The Trade Transformation Office will have a deployment support call on January 25, 2022, at 2:00 pm EST and the link to that call is on the Trade Post-deployment Support Call. The CSMS message with a link for more information can be found [here](#).

USITC Published the 2022 Modifications of the HTSUS

The United States International Trade Commission (USITC) has issued a publication with the changes of the HTSUS under the five-year World Customs Organization (WCO) that go into effect on January 27 along with the descriptive language for the HTS modifications. This reference material can help importers understand if their products fit the description of the new HTS numbers and to better address if their products fit in the new numbers.

The document also includes an explanation of the change along with some details on changes to Section and Chapter notes. Some examples of changes would be changes in textiles and apparel such as a new definition for plastic laminated fabrics in Chapter 59 Note 3(169) (a). When you learn of a change for one of your products you can confirm it through this publication. The document can be found on the USITC [website](#).

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Senate Passes the Uyghur Forced Labor Prevention Act

The Senate has passed the Uyghur Forced Labor Prevention Act that creates a presumption that any articles that are made in or any work performed in the Xinjiang Uyghur autonomous region will be presumed to have used forced labor somewhere in the production. Importers must have supporting documentation that the goods were not made from forced labor at the time of entry.

The law will go into effect 180 days after the President signs it. The bill requires that U.S. Customs and Border Protection (CBP) give direction to the trade on the documentation that will be needed for the entry of goods from this area. Those requirements must be published before the law goes into effect. The bill that has been passed can be found [here](#).

PierPass Temporary Change to Traffic Mitigation Ends

The temporary change to PierPass assessments that began on December 1, 2021, will revert on February 1, 2022. PierPass had temporarily gone back to its original process of charging the Trade Mitigation Fee (TMF) only on cargo picked up during the regular work week hours resulting in higher fees for those containers. On February 1, 2022, PierPass will revert back to the practice of charging the TMF on all containers at the pre-December rate of \$34.21 per a twenty-foot container and \$68.42 for all other size containers that are not exempt.



By **Todd Boice**, President