

TITLE 19.—CUSTOMS DUTIES

Chapter 1.—COLLECTION DISTRICTS, PORTS, AND OFFICERS.

Section 2. Rearrangement and limitation of districts; changing locations.—[Repealed in part.]

This section was repealed in part by Act May 29, 1928, c. 801, § 1, 45 Stat. 980, 987, entitled "An Act to discontinue certain reports now required by law to be made to Congress," which provides, "That the following reports and statements now required by law to be made to Congress are hereby discontinued, and all Acts or parts of Acts herein cited as requiring the submission of such statements and reports are hereby repealed to the extent of such requirement: * * * 19, Report of rearrangement of customs districts, establishment and discontinuance of ports of entry. (Statutes at Large, volume 38, part 1, page 623; title 19, section 2, United States Code.)"

4. Director of customs, assistant directors, director and assistant director, special agency service; appointment, compensation, and qualifications.—[Superseded.]

The officers provided for in this section have been abolished by § 281b of Title 5 in the Supplement. Sections 281, 281a and 281c of Title 5 provide for a Bureau of Customs, a commissioner of customs and subordinate officers and employees.

5. Collectors, etc.; term of office.—

This section was derived from R. S. § 2613, cited thereto. Act Sept. 21, 1922, also cited thereto is authority for the substitution of the words "comptroller of customs" for "naval officers" which latter words were used in R. S. § 2613. Act Sept. 21, 1922, has been repealed by Act June 17, 1930, c. 497, Title IV, § 651 (a) (1), 46 Stat. 702; but § 523 of said Act provides that "naval officers of custom; in office September 22, 1922, and their successors shall continue to be known as Comptroller of Customs."

Offices of surveyors of customs and appraisers of merchandise, except at the Port of New York, were abolished by § 5a of this title.

5a. Surveyors of customs and appraisers of merchandise; offices abolished.—The offices of surveyors of customs (except the surveyor of customs at the Port of New York) and appraisers of merchandise (except the appraiser of merchandise at the Port of New York), twenty-one in all, with annual salaries aggregating \$102,000, are hereby abolished. The duties imposed by law and regulations upon surveyors and appraisers of customs, their assistants and deputies (except the surveyor and the appraiser, their assistants and deputies at the Port of New York) are hereby transferred to, imposed upon, and continued in positions now established in the Customs Service by or pursuant to law, as the Secretary of the Treasury by appropriate regulation shall specify; and he is further authorized to designate the titles by which such positions shall be officially known hereafter. The Secretary of the Treasury, in performing the duties imposed upon him by this paragraph, shall administer the same in such a manner that the transfer of duties provided hereby will not result in the establishment of any new positions in the Customs Service. (July 5, 1932, c. 430, Title I, § 1, 47 Stat. 584.)

6. Deputies and other customs officers, laborers, and employees; appointment, compensation, and duties.—

This section is in part superseded by the third paragraph of § 1518 of this title.

The title "Board of General Appraisers" was changed to "United States Customs Court" by § 1 of Act May 28, 1926, c. 411, 44 Stat. 660, constituting § 405a of this title.

As to compensation, see §§ 6a to 6d of this title.

Offices of surveyors and appraisers abolished, see section 5a of this title.

6a. Compensation of employees in customs service; annual rates established.—The following annual rates of compensation

are established for the employees in the Customs Service hereinafter specified:

(a) Laborers \$1,500.

(b) Verifiers-openers-packers, \$1,080, \$1,740, \$1,800, \$1,800, \$1,020, \$1,080, \$2,040.

(c) Clerks' entrance salary, \$1,700; clerks having one year's satisfactory service, \$1,800; clerks having two years' satisfactory service, \$1,000; clerks having three years' satisfactory service, \$2,000; clerks having four years' satisfactory service, \$2,100; thereafter promotion of clerks to higher rates of compensation shall be in accordance with existing law.

(d) Customs guards, \$1,800, \$1,020, \$1,080, \$2,040, \$2,100, \$2,200, \$2,300, and \$2,400.

(e) Inspectors \$2,100, \$2,200, \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, \$2,000, \$3,000, \$3,100, \$3,200, and \$3,300.

(f) Station Inspectors, \$3,000, \$3,100, \$3,200, \$3,300, \$3,400, \$3,500, and \$3,300. (May 29, 1928, c. 805, § 1, 45 Stat. 955, as amended Dec. 12, 1930, c. 10, 46 Stat. 1026.)

Section 5 of Act May 29, 1928, c. 805, 45 Stat. 955, as amended by Act Dec. 12, 1930, c. 10, 46 Stat. 1027, cited to the text, read as follows:

"This Act [sections 6a to 6d of this title] shall be effective as of the date of its enactment: *Provided, however,* That all promotions, transfers, reinstatements, and other changes heretofore made with the approval of the Secretary of the Treasury affecting the pay status of any employee in which credit was given for previous satisfactory noncontinuous service in the Customs Field Service or Bureau of Customs or which conform to the provisions of the Act of May 29, 1928, as amended by this Act, are hereby ratified and made effective as of their designated effective dates."

6b. Same; new appointments of employees; minimum rate; transfers.—All new appointments of employees specified in section 6a of this title shall be made at the minimum rate of the appropriate salary range: *Provided, however,* That the Secretary of the Treasury is authorized to waive the foregoing provision of this section in the case of employees who are transferred from a position in any class specified in section 6a of this title or from any position in the Customs Service to a position in any of the classes specified in section 6a of this title, including that of clerk, when such transfer is made in the interest of good administration: *Provided further,* That in fixing the entrance salary of clerks, transferred from any position in the Customs Service or the Bureau of Customs, and in giving them increases in pay at any time thereafter, as provided in section 6a (c) of this title, credit may be given for all previous continuous service in the Customs Field Service or in the Bureau of Customs, whether clerical or otherwise, in positions requiring a first-grade clerical, or higher grade, civil-service examination. (May 29, 1928, c. 805, § 2, 45 Stat. 955, as amended Dec. 12, 1930, c. 10, 46 Stat. 1027.)

See note to § 6a.

6c. Same; promotions; compensation on promotion; reduction of rate of compensation.—Nothing in sections 6a and 6b of this title shall be construed to prevent the promotion at any time of any employee from a position in any of the grades or classes specified in section 6a of this title to a vacancy in a position administratively allocated to any grade under authority of section 678 of Title 5, or to a vacant position legally allocated to any grade created by or under authority of Congress after December 12, 1930, regardless of the period of time the employee has served and regardless of the designation of the vacant position, and when so promoted such employee shall receive the compensation authorized by law for such positions and thereafter shall cease to be affected by the provisions of section 6a

of this title; and nothing contained in this section or sections 6a and 6b of this title shall be construed to reduce the rate of compensation of any employee in the Customs Service. (May 29, 1928, c. 865, § 3, 45 Stat. 955, as amended Dec. 12, 1930, c. 10, 46 Stat. 1027.)

See note to § 6a.

6d. Same; appropriation.—There are hereby authorized to be appropriated such sums as may be necessary to pay the rates of compensation established by sections 6a and 6b of this title. (May 29, 1928, c. 865, § 4, 45 Stat. 955, as amended Dec. 12, 1930, c. 10, 46 Stat. 1027.)

See note to § 6a.

7. Assistants; solicitor to collector of port of New York; appointment and compensation.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

8. Vacancies; low filled.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

9. Performance of duties in case of disability.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

10. Sickness or occasional or necessary absence of collector.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

11. Sickness or occasional or necessary absence of comptroller or surveyor.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

13. Special agents; number.—

See § 281b, par. (c) of Title 5 which abolishes directors and assistant directors of the special agency service of the customs.

19. Appraiser of merchandise at port of Baltimore.—

Offices of surveyors of customs and appraisers of merchandise, except at the port of New York, were abolished by section 5a of this title.

20. Appraiser of merchandise at Portland, Oregon.—

Offices of surveyors of customs and appraisers of merchandise, except at the port of New York, were abolished by section 5a of this title.

23. Same; assistant appraisers.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

29. Administration of oaths by collectors and assistants.—

See § 30a.

30. Administration of oaths by clerks and inspectors of customs.—

See § 30a.

30a. Administration of oaths by officers and employees of customs service; compensation.—[Repealed.]

This section constituting Res. Apr. 2, 1928, c. 309, 45 Stat. 401, was repealed by Act June 17, 1930, c. 497, § 651 (a) (3), 46 Stat. 762, in effect June 18, 1930. The repeal was subject to limitations provided in subdivision (c) of said section, set forth in a note to § 1651 (c) of this title.

31. Bonds of collectors, comptrollers, and surveyors.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

32. Same; how approved and filed.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

33. Duties of collector where comptrollers and surveyors are appointed.—

Offices of surveyors and appraisers abolished, see § 5a of this title.

36. Deputy collectors; duties.—

The heading to this section should be changed to read as above.

38. Comptrollers of customs; powers and duties.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (a) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provisions of Tariff Act of 1930, see § 1523 of this title.

39. Same; where collector and surveyor appointed.—At ports at which there are a collector, comptroller, and surveyor, it shall be the duty of the comptroller—

First, To receive copies of all manifests and entries.

Second, To estimate, together with the collector, the duties on all merchandise subject to duty, and no duties shall be received without such estimates.

Third, To keep a separate record of such estimates.

Fifth, To examine the collector's abstracts of duties and other accounts of receipts, bonds, and expenditures, and certify the same if found right. (R. S. § 2626; June 17, 1930, c. 497, Title IV, § 523, 46 Stat. 740.)

Paragraph "Fourth" was repealed by Act June 17, 1930, cited to the text, the repeal to take effect June 18, 1930.

Offices of surveyors and appraisers abolished, see § 5a of this title.

41. Same; surveyor only appointed.—

In the opinion of the Secretary of the Treasury this section is obsolete.

42. Keeping and rendering accounts by collector, comptroller, and surveyor.—[Repealed in part.]

This section was repealed in part by Act May 29, 1928, c. 901, § 1, 45 Stat. 986, 994, which provides, "That the following reports and statements now required by law to be made to Congress are hereby discontinued, and all Acts or parts of Acts herein cited as requiring the submission of such statements and reports are hereby repealed to the extent of such requirement: * * * 115. A report by the Comptroller General of the United States consisting of an abstract of all money received and expended by every collector, comptroller, and surveyor of customs. (Revised Statutes, section 2639; Statutes at Large, volume 28, page 210; title 19, section 42, United States Code.)"

For title of Act see note to § 2.

Offices of surveyors and appraisers abolished, see section 5a of this title.

43. Same; duty in respect to accounts, and the penalty for omission.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

44. Keeping and rendering accounts by collector, comptroller, and surveyor; accounts to include all expenses.—

The heading to this section should be changed to read as above by omitting "emoluments as well as."

Offices of surveyors and appraisers abolished, see section 5a of this title.

45. Same; list of clerks and account of expenditures.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

46. Same; collectors on certain frontiers; list of clerks and account of expenditures; monthly estimate.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

In the opinion of the Secretary of the Treasury this section is obsolete.

47. Same; accounts rendered quarterly.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

In the opinion of the Secretary of the Treasury this section is obsolete.

48. Expenses; expenses in foreign countries.—All customs officers and employees, including customs officers and employees in foreign countries, in addition to their compensation shall receive their necessary traveling expenses and actual expenses incurred for subsistence while traveling on duty and away from their designated station, and when transferred from one official

station to another for duty may be allowed, within the discretion and under written orders of the Secretary of the Treasury, the expenses incurred for packing, crating, freight, and drayage in the transfer of their household effects and other personal property. (Mar. 4, 1923, c. 251, § 5, 42 Stat. 1454; June 17, 1930, c. 497, Title IV, § 645 (b), 46 Stat. 761.)

This section was in part repealed by § 645 (b) of Act June 17, 1930, cited thereto, which read as follows: "So much of the Act entitled 'An Act to provide the necessary organization of the Customs Service for an adequate administration and enforcement of the Tariff Act of 1922 and all other customs revenue laws,' approved March 4, 1923, as amended, as limits the amount of household effects and other personal property of customs officers and employees for which expenses may be allowed upon transfer from one official station to another, is hereby repealed."

Section 645 (b) of Act June 17, 1930, c. 497, cited to the text, took effect June 18, 1930.

52. Payment of compensation and expenses.—

See § 6d of this title.

56. Labor beyond usual hours at port of New York.—

Offices of surveyors and appraisers abolished, see section 5a of this title.

★ 67. Annual report to Congress affecting customhouses.—

The Secretary of the Treasury shall lay before Congress at the commencement of each regular session a statement of the amount of money expended at each customhouse during the preceding fiscal year, and of the number of persons employed, and the occupation and salary of each person at each customhouse during the same period. (R. S. § 258.)

This section was omitted from the Code.

68. Enforcement of customs and immigration laws along Canadian and Mexican border; cooperation by Secretaries of Treasury and Labor; erection and maintenance of quarters.—

To provide better facilities for the enforcement of the customs and immigration laws along the Canadian and Mexican borders at points where no Federal buildings are available or buildings adapted or suitably located for the purpose are available for rental, the Secretary of the Treasury and the Secretary of Labor are hereby authorized to expend from the funds appropriated for the general maintenance and operation of the Customs and Immigration Services, respectively, the necessary amounts for the acquisition of land and the erection of buildings, sheds, and office quarters, including living quarters for officers where none are otherwise available: *Provided*, That the total amount which may be expended for any one project, for the use of one department, including the cost of the site, shall not exceed \$3,000, and that where quarters are erected or facilities provided for the joint use of the Customs and Immigration Services the combined cost charged to the two appropriations concerned shall not exceed \$6,000 for any one project, including the site. (June 26, 1930, c. 617, 46 Stat. 817.)

Chapter 2.—THE TARIFF COMMISSION.

Section 91. Creation and establishment; organization.—[Superseded.]

This section was superseded by § 1330 of this title.

92. Compensation of commissioners and employees; civil-service rules; expenditures; principal office.—[Superseded.]

This section was superseded by § 1331 (a)-(e) of this title.

93. Office of commission at port of New York.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (a) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provision of Tariff Act of 1930, see § 1331 (f) of this title.

95. Seal of commission.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (a) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provision of Tariff Act of 1930, see § 1331 (g) of this title.

96. Investigations as to customs.—[Superseded.]

This section was superseded by § 1332 (a) of this title.

97. Information to President and Congress.—[Superseded.]

This section was superseded by § 1332 (g) of this title.

98. Investigating tariff relations with foreign countries.—[Superseded.]

This section was superseded by § 1332 (h) of this title.

100. Documents and copies for investigations; testimony; compelling production of books or papers; freedom of witnesses from prosecution.—[Superseded.]

This section was superseded by § 1333 (a) to (e) of this title, and the amendatory act of Sept. 21, 1922, cited thereto was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (n) (1), 46 Stat. 762, in effect June 18, 1930.

102. Ascertaining conversion costs and costs of production; selection and description of representative articles; ascertaining import costs and selling prices of selected articles; ascertaining facts showing differences affecting competition.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (n) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provision of Tariff Act of 1930, see § 1332 (d) of this title.

103. Powers and privileges of commission.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (n) (1), 46 Stat. 762, in effect June 18, 1930.

104. Same; definitions.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (n) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provision of Tariff Act of 1930, see § 1332 (e) of this title.

105. Information not to be divulged; investigation of Paris economy pact and other organizations.—[Superseded.]

This section was superseded by § 1335 of this title.

107. Procuring supplies and services; application of section 5 of Title 41.—The commission may procure supplies and services without regard to section 5 of Title 41 when the aggregate amount involved does not exceed \$50. (Feb. 20, 1929, c. 270, § 1, 45 Stat. 1243; Apr. 19, 1930, c. 201, § 1, 46 Stat. 243; Feb. 23, 1931, c. 281, § 1, 46 Stat. 1370.)

Chapter 3.—THE TARIFF AND RELATED PROVISIONS.

SUBTITLE I.—DUTIABLE LIST

Section 121. Articles dutiable, and rates; schedules.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (a) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provision of Tariff Act of 1930, see § 1001 of this title.

SUBTITLE II.—FREE LIST

122. Free list.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (a) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provision of Tariff Act of 1930, see § 1201 of this title.

SUBTITLE III.—SPECIAL PROVISIONS

THE PHILIPPINE ISLANDS, CUBA, AND CANAL ZONE

123. Duties upon articles coming from or imported into Philippine Islands.—[Repealed.]

This section was repealed by Act June 17, 1930, c. 497, Title IV, § 651 (n) (1), 46 Stat. 762, in effect June 18, 1930. For corresponding provision of Tariff Act of 1930, see § 1301 of this title.

Offices of surveyors and appraisers abolished, see section 5a of this title.

123a. Duties and taxes on foreign vessels coming from Philippines; payment into treasury of islands.—All duties and taxes collected in the United States upon foreign vessels coming