## Overview

This is a new provision in the new United States-Mexico-Canada Agreement (USMCA) that states that a Party may request another Party to conduct a verification to determine whether any customs office is occurring and mandates the Party to respond in writing. There was no such provision in the North American Free Trade Agreement (NAFTA).

## References

- **USMCA**
  - Final Text: Chapter 7, Article 7.27
  - HR 5430 Citation: Title II, Section 202
- **NAFTA**
  - No provision.

## Significant Changes in USMCA

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<th>Provision</th>
<th>USMCA</th>
<th>NAFTA</th>
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| Customs Compliance Verification Requests | New provision in USMCA.  
- A Party may request another Party to conduct a customs compliance verification. | No provision. |

## Detailed USMCA/NAFTA Side-by-Side

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| Customs Compliance Verification Requests | 1. A Party may request another Party to conduct a verification in that Party’s territory to assist the requesting Party to determine whether a customs offence is occurring or has occurred by obtaining information, including documents, from an exporter or producer.  
  - The requesting Party shall make the request in writing.  
  - The requested Party shall respond to the request promptly and in no case later than 30 days after the date it receives the request.  
  - The response will include whether it will conduct the verification.  
  - If the Party does not intend to conduct the verification, the response will indicate the basis for refusal.  
  - If a Party will conduct the verification, the response will indicate the intended timing and other relevant details. | • Not specified. |
2. If the requested Party conducts a verification under paragraph 1, it shall provide the requesting Party promptly upon completing the verification a report containing the relevant information including data and documents, obtained during its verification.

3. In the case of a site visit by the requested Party, the requesting Party may, through officials it designates and subject to the consent of a legally responsible person for the location visited, accompany the requested Party.
   - Accompanying the requested Party does not create any legal authority for the designated officials of the requesting Party.
   - The designated officials of the requesting Party shall fulfill the conditions and procedures mutually agreed between the relevant Parties for the visit.
   - Nothing in this Agreement requires the requested Party to allow or facilitate the participation of the designated officials of the requesting Party.