Commercial Customs Operations Advisory Committee (COAC)
Government Issue Paper: Update on Export Manifest Pilots

March 2017

U.S. Customs and
Border Protection

Action Required: Informational

Issue: Electronic Export Manifest Pilots – Update

Background: Based on the Trade Act of 2002 and the Safe Port Act of 2006, U.S. Customs and Border Protection (CBP) has announced three Electronic Export Manifest pilots via Federal Register Notices (FRNs). These pilots are for ocean, air, and rail export manifests. Additionally, CBP has established a working group with interested parties from the trucking industry to make proposals for the development of an electronic export manifest pilot for truck carriers.

Air: The Air Electronic Export Manifest pilot was announced in the FRN on July 17, 2015. A number of air carriers and indirect air carriers (freight forwarders) volunteered to participate, and the initial pilot group was established.

Ocean: The Ocean Electronic Export Manifest pilot was announced in the FRN on August 20, 2015. CBP has received a number of volunteers for the ocean pilot, and the initial pilot group has been established.

Rail: The Rail Electronic Export Manifest pilot was announced in the FRN on September 9, 2015. CBP received a number of volunteers for the rail export manifest pilot.

Current: CBP has worked with the Commercial Operations Advisory Committee (COAC) and the American Association of Railroads (AAR) to develop the first three pilots and to address various aspects of the pilots. These discussions include deadlines for the submission of data, data elements, and how CBP should target high-risk shipments, to determine how the pilots will be operated. These discussion continue for each mode of transportation as issues arise.

Air Status: As of the end of October 2016, CBP had resolved the issues with the air manifest profiles and the client representatives were reaching out to the pilot participants to establish their profiles and begin certification testing. Two carriers, Aerolineas Argentina and Cargolux began submitting the electronic export manifest for a single flight in certification.

A number of issues with profiles were identified, delaying the participation by Aerolineas Argentina and other carriers in the submission of manifest data in the production environment. The Office of Information Technology (OIT) is indicating that the issues have been resolved and Aerolineas Argentina and other carriers can now submit their air export manifest in the production environment.

It is anticipated that Aerolineas Argentina and Cargolux will soon be electronically submitting export master and house air waybills to CBP in production. BDP International has indicated to CBP Headquarters that they have completed the certification testing and are ready to begin submitting their portions of the export manifest as an indirect air carrier as early as the first week of November 2016. OIT and Cargo and Conveyance Security are working with BDP to enable them to be able to submit their portions of the electronic export air manifest in the production environment for all of their flights from the United States.

It is anticipated that additional carriers will begin the process of testing their data submissions in the certification environment and upon completion of that testing phase begin submitting export manifest in projection shortly thereafter.

CBP client representatives have or are reaching out to the air export manifest pilot participants to set up their profiles and to begin working with them to complete the certification process.

Lufthansa Airlines has been submitting incomplete electronic export manifest information to CBP for years, even prior to there being a system to accept the export manifest data. Lufthansa has recently requested to work with CBP to establish their profile and to begin the filing of air export manifest data. BDP International, as a freight forwarder, is submitting their proportions of the export manifest electronically in the certification environment.

Ocean Status: As of August 2016, there are several carriers in the ocean environment sending data into production for a number of different vessels. CBP is working with several other pilot participants to be active in the pilot. At least one Roll-on/Roll-off carrier and one Non-Vessel Operating Common Carrier (NVOCC) has started the certification testing.

Maersk and Oriental Overseas Container lines are submitting export manifest data out of the ports of Newark, NJ and Long Beach, CA respectively as the final port of export and the preceding U.S. ports of call for all of the cargo being placed on the vessel.

The number of data elements to be submitted and the status of those elements (mandatory, operational, or conditional) have been agreed upon for the pilot. The timeframe for the data element submission was agreed upon (24 hours prior to vessel departure).

The Ocean group has experience with the 24-hour rule and Importer Security Filing implementation. The Ocean group is seeking to align the requirements for the export manifest with the current inbound manifest, targeting, and inspection processes.

Rail Status: The ACE Business Office (ABO) has been facilitating much of the conversation with the Rail group due to certain rail carriers initiating testing during the summer of 2015. There are currently two rail carriers sending in data to production and another carrier is looking at beginning the certification testing process. CBP and the rail association are holding a series of discussions to identify potential inland ports where inspection of export cargo may be conducted. Follow-on discussions with the potential ports to determine if they have the resources to conduct the inspections, and how they will be notified that a shipment has been targeted for inspection.

Truck Status: A COAC working group, composed of export carriers and other interested parties, has been established to develop the truck electronic export manifest pilot. The working group is discussing truck operations into Mexico and Canada and the associated data elements for each country, along with the North American Single Window Initiative. The working group and CBP have discussed the COAC recommendations for the various data elements. The goal of the working group is the development of a FRN for a truck pilot.

It is anticipated that in part, due to the complexities of truck operations, that the truck export manifest pilot FRN will take some time to publish.

Pilot Immediate and Long-term Next Steps:
1. To encourage new participants in the pilots and to continue to work with all pilot participants to complete the coding and testing in each mode of transportation.
2. To identify any automation, policy, or operational issues prior to CBP utilizing the electronic manifest for operational purposes.
3. To identify any issues associated with the data elements. CBP will also provide feedback to the carriers and other participants about the data being submitted.
4. Identify what adjustments are required on the part of the carriers, other pilot participants, and CBP.
5. Determine which data elements are required for the export manifest.

6. Determine how a progressive filing model might be used by the trade and CBP.
7. Publication of Final Rule for the mandatory submission of electronic export manifest in each of the modes of transportation.

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