



## Protest Demonstration Webinar Transcript – August 23, 2016

This is John from the ACE office . I am here with the Mandy Mitchell, the director of commercial operation and office of international trade. We will be going over protest with you today. For those that don't know protest the place this weekend . This is going to be your look into the protest module, and we hope that you get a lot out of this and please feel free to ask questions as we go. We will entertain questions at the end of the webinar as time permits.

The goal for this webinar we would like to present the trade with the background on the development of ACE protest and provide a demonstration of the A's protest filer account . We would like to just give you a brief look at the ACE Filer and provide to demonstration on the protest module itself. We want to answer your questions related to the ACE protest.

Current protest processes in ACS vary. We have several different mechanisms for which protest can be submitted . Then they will be filed through ABI or they may be filed as paper at a center. The ABI submissions are available to those that file ABI and have developed or purchased software that is necessary in order to do that or go all of the parties are required to submit protest and paper. -- So that we have the information we need to make a proper decision on those protest. Protest currently submitted to the centers are really just paper packages that are scanned and stored in the document imaging system. We have a lot of steps in between our receipt of the protest and actual working so things that are received in a timely manner . One thing I want to point out now before we get too far is I mention that ABI submissions are the main electronic way to send in your protest . We had 35,000 protest a year and 10% are submitted via ABI . So far in August, we've had won 15 that of comment in trying to. So the volume is very low.

We had three goals when we went to develop protest in ACE. The process itself is pretty clear so we needed to try to improve where we could. One of the main goals was to provide electronic mechanism for the submission of protests that would allow for a broader range of trade dissipation in the electronic environment. Again, the electronic protest in ACS is only available that has the ABI software and that is only 10%. We need to increase that number as much as possible.

We want to allow for the seamless movement of work that could be affected when used at a port or when we work protest nationwide. As we transition to the center environment and move towards nationwide processing, all really work has been able to be completed virtually. ACE has no workflow that can work electronic we from submission all the way to adjudication. It is flexible enough to work both at a port level and at the center level and have the flexibility to reassign work as necessary. That will be a big component for ACE protest as we move to nationwide processing. As you all know, with nationwide processing , we really can't have a lot of paper lying around. So are the goal is to reduce the need for paper submission as much as possible in

Just to give you a couple of highlights of what will ACE protest include. The first item is protest filer account that allows for trade access the protest module for purposes of

electronically submitting protest to CBP as well as viewing protests that you have submitted and taking the various actions that will go over later. We've develop a protest workflow which allows were to move throughout a team seamlessly based on where the protest exists in its lifecycle. We are integrated with the document imaging system that is our central repository for all of our electronic documentation. Our integration allows for documents to be uploaded in the protest interface to DIS and then viewed by users nationwide. In the process of getting rid of as much paper as possible, we've implemented electronic notifications based on specific events. When they are added there will be electronic notice sent with the protest number. When when is amended, we will include that in the email. Those items will all be sent in electronic notification via email to parties that are designated on the protest.

Protest filer account in order to submit a protest electronically the ACE, the trade must obtain a protest filer account. If you already have a ACE account for some other reason, you may at that

to the business partners and set up that way. If you do not have an account at all and this is your first venture into ACE, there is a web form it is published. It is on CBP.gov. You can use that to automatically create the protest filer account. With this account you will be able to access the protest module to add protest, amid protests, and view protests as well as a variety of other actions that you can take whether it be adding supplemental information and additional argument, etc.. >> The Filer does not allow for protest filers to the other parties information even if you are filing on behalf of another party. We do not keep power of attorney designations in ACE and we cannot know if you are authorized to access other people's data. If you need access to information in order to file a protest, you may work with your client to obtain the information. If ACE moves to

a state where we are maintaining some sort of power of attorney in our system, we can revisit this issue. For right now, we cannot.

The protest workflow has basically been set up around team designation. That is how they operate today. That is how CBP does her work. It will be routed to teams based on the team assigned to the entry summary designed as the lead for the protest. We will extract the team from the entry summary and that will be the team that it is routed to. Teams are edible. -- Editable. They can also change it in their course of action with the protest.'s we can make sure the work is getting to the right people. Based on a combination of protest that is an processing status as a result of actions that are taken place throughout the protest lifecycle, ACE will about the protest to the workflow and through each of the various stages.

The reason that we do pre-population of the team for the protest to let users who are not familiar with the team structure of me not know which team to send a protest to distill file your protest and get it to somebody in CBP and then CBP we can go in and edit that. With the move to the center processing structure eventually we will get to a place where this is no longer an issue, but while we are going to multiple transitions, there may be times where the team needs to be changed and work needs to be prodded differently than designed. The module 2 allow for the flexibility. >> Notifications I mentioned earlier that the protest will send out electronic notifications if you choose to file in ACE to the protest module. If you are electing to use the electronic method, you will be required to input one email address and at up to three additional email addresses. Again, notice

of a addition suspension, decision those will all go electronically. If you're not submitting protest electronically, the trade will receive notifications and paper as is done today. There will be no mailed notices when the trade files through the protest portal. >> We are going to look at the functionality that is going to be available after 8/27. This information just to give you a snapshot there is a lot of questions that come up around what exactly is available so we try to capture that here. Not to hit every single piece, but the really need to log into the protest module from the Filer call many of you have said up the account that button is has launched protests will be enabled. The ability to create a 520(d) claim the ability to upload text files of entry summaries to an individual protest, to request further review electronic receipt , the ability to withdraw a request or submit a 1515(c) are 1515(d) . We really try to capture all the actions that are available to you in the protest and legally available to you. Sold this list we tried to make it encompassing. Please refer to that if you have any questions about what will be available.

Reporting capabilities that will come out shortly after

our/-- 8/27 appointment. -- To access the protest where a party has filed or exist on the protest of the 520(d) as the Filer. Anything in that field that will be the information will go back. Further down the line

we will look at reporting capabilities for other protest parties specifically the protesters, where you exist as a protest at and maybe an attorney has filed in your behalf and -- you will be able to pull back all of the protest that are under your important number. We are still doing a lot of research on those

and we will get those out as soon as possible, they will be after August 27. Are reporting will be mainly focused around Adam HOC reporting. We find that it is better to allow you to create reports that fit you or to manipulate reports that that you instead of trying to hold you with something that we think will figure. Back is going to be the direction we go with the reporting capabilities. >> Electronic protest after 8/27 ACE will be the sole mechanism for the filing of protest electronically. The ACS ABI transaction will be turned off. And the ability to send protest

will also be turned off. There will be one place to file electronically and that is through the ACE protest module, otherwise, you will be filing and paper.

Now we are going to get into the demo. Just give us a second to set up here. >>

We are currently having some difficulties . I will turn it over to Randy Mitchell to talk about a few points on the policy side.

Hello, everybody. Would afternoon and good morning to you. Beautiful day out here in Northern Virginia. I do want to tell you that the ACE business rules were updated recently . I believe last month and they had a section that was updated under protest. I know there was probably three to four pages that we included in the business rules , which is pretty much what your document is going to be that will tell you how to file these protest electronically and in paper. I would ask you to go well and read those. If you need something addressed, please email be ACE business rules email , and we will certainly address that. We've always said that this was something

that it is your document and we are trying to maintain a. If you need something that is more useful, go ahead and let us know , and we will address it as soon as we can.

Another thing is we were speaking earlier today about a FAQ. If you feel that that is useful and if we put one out on CBP.gov's force a policy document or any -- any questions are concerned, I think that would be something that we would be able to do and provide that as soon as we can. We do have questions that we need to address and we would like to put them out there. It would be something that if you can either let us know here in the webinar or even email me, that would be fine also. I know that some of you do like the FAQ document.

Also I know that this is the second when at our protest webinars. If you feel that you need something additional like any other protest webinars as far as the business side is concerned that you would need even through deployments this weekend, we would absolutely consider that. It looks like our screens are backup so I will have it back over to John.

A couple of items I want to show you are called the first one is the Filer account application that is on CBP.gov. This is if you have no access to ACE currently. If you're not a user on anyone's account and never been into the ACE portal, you may use this form to set up an account. You need that to be able to file a protest. This is for brand-new accounts. If you already have an account, you can add the protest Filer to your existing account. If you are running into any issues getting set up with this, you can always reach out to me and I will help facilitate getting that working for you. We want to make sure that everyone gets their accounts established.

Once you have an account, you will go to the ACE portal as you currently do to get to your account information. Before we go in here, my disclaimer is that this is a development environment. Some things may not look right. It is constantly changing. This is just to give you guys an idea.

I will login. Give me one second. >> Those of you who have a current ACE account, you are familiar with the screen. You will navigate to the account tab and you will get your standard view that you have here. Of already go to the process of creating an account for this webinar.

What you will see when you go when we have a new business partner type called protest Filer or go you select that and then you will change views and now you are looking at the protest Filer view. If you are a true account owner, you have several options over your including create protest Filer, change history, and reports. Down here you have all of the accounts that you've already established as individual protest Filer's under this topic count. -- Top account. If you have an account and you would like to create a protest Filer for the purpose of filing protest, you would navigate to the protest Filer here. You have to make sure that you selected the top account. You will get a message with the name, the ID and the confirmation that this is the account that will be used to create the protest Filer. You will be presented with four steps of information you need to fill out. Complete that information and click on submit and that is all you need to do to create the protest filer account. It is very simple step-by-step and it will lead you through. >> I will go to one of the accounts that have already created. You will see that we have the launch protest button. When you click that button, you will be navigated in a new tab to the protest module in ACE. The first grade that you are presented with will be the search screen.

You can search by a variety of different elements within the protest. You must provide one search criteria to continue. I will search for anything that I have open. I have one protest that is open. >> You will see in the upper right-hand corner we have a create protest in green. In order to file a protest, this is where you go. You click the green button and you will see that you are given an option to create a 514 protest or a 520(d) claim. To select that button and want to do that -- needed for protest submission. Most of this is the information that is contained on the - - and one email address that you will need to provide. Required items are marked with a red asterisk. There is other items that are optional or conditional. If you choose to provide that information, then we will take that as well. For conditional items an example would be if the issue drop-down you select the classification then you must provide the tariff that you are claiming for that protest. That is the only field and everything else is optional. >> Some of this information is locked. The protest that is is locked. The date received is locked up because when you submit this to us, that will be the date that we received. You must provide one entry number or select a no entry number checkbox. So I will put in an entry. >> Used that we populated three fields the importer number is the importer record number on that entry that is populated and locked up because they do not want the updated. It also populates the port code -- port code. You may alter these if necessary. During the creation process but once we create the protest the port code will be locked. That needs to be updated. We already talked about the team number but this is what we will use the route things. >> Party information is the next section on the protest form. They line up with the items on be CF 19. The protest and type number are the identifier for the party for whom the protest is being submitted. The type of selection is a party type you are entering. You can see it consists of importer and someone and so forth. The number would be the corresponding number for that party or call this -- it ensures that we have information that is real and accurate and it would be reflected in ACE. >>

I will put it at importer record number that matches the when that we have at the top. We have the protest Filer type. It is the same selection. The protest Filer is a party that is actually filing this protest. A lot of times you might have attorneys. We require that you tell us the capacity in which were filing. When you log in the the protest filer account we have identified two in that we. We will populate the number from that Filer call and lock it or go we don't want protest being filed by a party under the guidance of a different party. >> The substitute party is an optional field that identified the party for notice of them Pual or denial should be sent. The refund terror party is an optional field. If it needs to be sent to a -- supper party -- supper party --

The third section is under additional information. There's only one item that is required here. This is a high level issue this is not the same as your narrative are recently protest. This will help us in the reporting making sure that work is getting to the right place.

If we choose any issue, you also have the option to the secondary issue. If you have more than two issues, please put that into your reason for protest. I mentioned before classification if you choose that then we will open up the claimed tariff to put it in there. that is the only conditional field that we have the. Other optional field include internal advice, Lee protest number, if there is a denied claim number based on the denial of the 520(d). If you have a sample you might indicate that a sample is being sent. Policy will give you specific instructions on how to get that sample to CBP appropriately.

The reason for protest is a required field that must be filled in, but you don't have to put your entire argument into this text box. We understand that many arguments are very lengthy or -- are expectation is that if you do not input your reason for protest here, your directors were to find it. So for example, if you attach your argument in a PDF document as part of the protest, reference the name of that document and tell us where to find it.

For purposes of this demo I will just put in test. The additional entry number section here you can add additional entry numbers for this protest and add them one at a time or upload a file of injuries. Currently, we support text files so we will look to expand that later after the playmate with our initial deployments that .txt is the only format that we will accept. Those numbers should be in a filer entry number with 11 characters and one per line in the file. If you upload a file, we will do the same validations against those entries. We will validate those injury as a valid entry number in ACE. We will be converting a large amount of ACS data or go so the source of the data will not matter.

Will be able to find the information. As long as the entry exist and as long as the entry has the same record number as the entry that is notated on the header of the protest, you will pass the validations for the entry.

If something is not timely, filed after the protest. We will still allow that to be filed. However, that will be flagged as possibly untimely so that our users are able to clearly determine what's a properly filed entry and what is not. So for this demo, I will select a test file that I've created, and we will proceed. The validations will be run after we saved our protest. But document upload you are allowed to download multiple documents. We accept most document types. No text files. Everything else should be allowable for the upload. Size you must have your documents in five or 10 MB or less per document.

I will not upload anything at this time. We mentioned for the email notification that we require one email notification to be provided as a primary notification email. This is where the official notices will be sent. You can have up to three additional emails to send notifications to. If you are an attorney filing, you'll be the primary and if you would like to let your client know you can provide an email there as well. If you have input a substitute party earlier, there will be what additional required email address to be put in. I will put in my email address. The email must match. That is are we to ensure that we have a valid email address. If you wish to request further review you may do that here or during an amendment by selecting this text box you will be presented with the application for further review. If you select this all fields are mandatory. For purposes of this demo, we will place test right there. You must certify before you are allowed to submit a protest. Back

is this text -- chat box what you're. If you do not certify, we do not give me the option to submit.

This is required any time that you add or amend a protest in ACE. We will hit save and continue and we have a validation error intentionally. If we school down you will see that there is an error here. You will see that one of the entry numbers in our file with the invalid entry number.

Will change that. You can change it or delete it whatever you want to do to fix it. We will require you to certify again and then save and continue. You are giving a protest number. You'll be directed right to that protest. At this time if my email -- after the creation of our protest you are directed right to the view dot protest. You can also search and go to the search result process to get here. If you were to log back out and login if you needed to. The protest number is right here at the top of the protest and that is included in the email notice that you received. Under the number there is several information tags that are provided if appropriate. The tax currently include if there is a further review request and if there is an accelerated disposition request or if the protest is untimely, that flag will show if there are any entries that are passed the ., Then we will show that flag and show the date passed liquidation so we can identify which items are valid and which ones are not. >> We also have tags that say whether or not the protests with input by the traitor by CBP. This will help us to know whether we have a paper package or if everything is electronic. If -- there could be an intervention and that will also be tacked on the top. We can always expand to include other tags if those are valuable. Those five are what we will be going out with on the August 27 appointment. The majority of appeals that we filled in and that would be found to on the see of 19 will remain on the header while navigating the various tabs. You can see the first three sections we completed on the protests more those are all included right here.

Below we have a number of tabs that contain additional information. If there is a decision on this protest, the first tab will be the decision tap and included decision and when it was made. Again, that is also included in the official email. There's no decision than the first tabs you will see the entries that are associated with the protest. All columns are populated with the information that ACE has for summaries. -- We will see yes in the protest file column and as you can imagine, all of these are guess because this is a test environment with test data and we reuse a lot.

Also you will see if there is a recon filed or drawback filed then we won't notate that specifically as well. The next tap is the party's top. It contains the name and address of the parties that were submitted on the protests. ACE accounts is a system of record for all account information, therefore, all we have is what we consider to be valid information. You will see down here that if there were any emails provided as part of this filing, those will be here so that we can see notifications are being sent to electronically.

The history lot contains information that occur on the protest. We will logged any edits a member events for this

tab as well as decisions and any specific details where appropriate. For example if you amended a protest we are going to have an external field to show you exactly what was amended on that protest to make it easier for you to track and for us to track. >> Documents tab will contain the documents that were uploaded to the protest to its lifecycle this includes supporting documentation of this mission of the protest as well as responses for additional information. All documents that are uploaded to a protest will be accessible through this tap. If there was a request for further review, you will have this tab and if there was no request, we will hide this. In the event that you do request and that this is infected night and sent on for further review, you will be able to see all the different elements in the decision on the further review as well.

The next tap if you have an additional argument on the protest, this is where it will be displayed. The most recent argument will be displayed first. Any documents that are uploaded will be displayed on the documents tab. We will see the actual text of the argument here and documents will be on the documents tab. The notes tab is something for CBP so you will not see that .

I will show you after we get through that actions on this that's there will be some other tabs after a decision is rendered. If there is a 1515(c) or 1515(d) request of those will be logged and on a separate tab. >> All of your actions for a protest are available through this drop-down. The first one you can see is the addition of a trench mouth importer intervention and those are very rare, but if there is an instance when you need to file wine, then you may do so here as an attachment to this protest so that it can be worked in accordance. Amendment of the protest is an action that you can take here. We will show you briefly what the screen looks like. It is in the same format that you previously had for an addition of the protest. We try to keep it very similar. Those items we do not allowed to be amended. >> If you wish to provide supplemental information, you may do so through this action and provide supplemental information. This is just additional information that you want to add as part of the protest argument that you have already made. That is in the form of document uploads and we will label it as such so that CBP can use that accordingly.

Upload response to CBP requests there are some instances where you might have someone from CBP request that used more documentation. Business the same format as the other. We will label it differently so that it is very clear to CBP .

Additional argument can be made here. We will allow you to submit a type to argument as well as an attachment and we will displayed those separated on the various tabs . This action will be available until the protest is decided at which time the action will be removed to. Request for accelerated disposition can also be made to the action stab. -- Tab . It is a little bit more intensive than we would like. We are bound by the lab that they may only be submitted the registered mail . We do not allow for the request to be made on the creation of a protest. You must come here and notate the date on which the request was mailed. Upload prove that it was mailed , and certified that you are abiding by the statue.

If you choose to input an accelerated disposition request, we will disable a number of the actions that are available to you within the actions drop-down as we are now on the clock . You may withdraw your accelerated disposition request and those actions will be added back.

Finally, you may withdraw your entire protest using the withdrawal protest action here as well.

A couple of other items that are want to look different when you are working with the protest that only has a decision on it . You will see here this protest has RE been denied. The decision is here

and it would be comments here. You can see that you have an additional tab. That would be logged here as well as the decision on that 1515(d) . If the request has been denied, you may also request reconsideration of that denial through the actions drop-down here. That is the

1515(c). If it is made, that will go directly to the office of regulations and rulings for decision.

That concludes what we have prepared for a demonstration today. We do have 15 minutes that will use to answer some of the questions that we received. Give us a once section -- second to switch back. >> We are going to try and take these

questions won at a time. There come in fast and furious. If we don't get your question, we will take these back and we will provide answers as soon as possible to get everything that you asked.

What is the timeframe of which a protest will be reviewed and upon approval refunded? >> Was specifically -- whenever going to sent back to refund or what the timeframe is for approval to be reviewed and approved? We can take that back and keep on going. >>

At one point can when a amend the protest? The amendment is still within the 180 filing day. If an amendment is made that will be notated on the protest as possible untimely so that we could decide the protest appropriately based on the information we had during the valid protest..

Can you view protest previously not filed in ACE You cannot file those. That is when item that will be looking at after the appointment . Because of the way the system is structured and tied so closely to the protest filer, we are going to only be able to allow for those that the filer have seen.

We are looking with reports to see if it is possible to allow for protestant and protest filer account to everything. Stay tuned for that. But it will only be those things that have been filed in ACE.

Will the email notification process for submissions and amendment speak also be implemented for CF 28 and 29?

That is not part of this endeavor. >> When will the reporting capabilities be available? We are still working on a firm date for that. I working closely with the branch chief of reports and his team . As soon as we get dates, we will communicate that to the public. Right now we do not have a firm date.

For accelerated protests this paper

only be via certified mail. Yes, you will need to be sent thing that certified mail. Once that has been sent, you can noted that request on the protest in ACE so that we can start working it appropriately on our side.

Ever protest was filed prior to 8/27 the ABI how would a user file the amendment with CBP? >> That information is going to need to be submitted in paper to the port which you filed the protest at. It will be used by CBP to work that protest. That is one of our items where we are in a transition. And those things are inconvenient are going to have to be done that way. >> Can attorneys establish a ACE filer account?

Yes, they can establish a protest filer account. Any party who has the need to file a protest may request using the form that we saw earlier. It will create the protest filer for you and then you match the module there. >> Can you file your own protest via ACE or does your [ Indiscernible ] has to file?

You can file your own protest but maintain the profiler account.

Is the name the company name or the name of the individual during the protest?

That depends on how you want to set up your account. If you would like to have the company name for the protest filer and then have multiple users be able to access that a file is a company, you may do that. If you would like to create separate filer accounts under an individual top account for each of your individual parties, you may do that. We do not restricted in the system but that is up to you on how you want to set up your account.

And any importer with a ACE account be able to -- yes . We can create that. >> We are going to skip through -- we are trying to find some of the questions that pertain to the filer accounts.

Can multiple entries be entered under single protest? Yes, you can use the individual entry mechanism where you can upload a text file. >> If there filed a different towards can we do one protest?

Yes, you can. So we are relying heavily on the team number to get the work where it needs to go. I know that they have a lot of very significant requirements in regards to filing the protest. I think that's been covered some with the center.

We are covering that with the center and we will be able to track that workflow with the center location. >> Can someone other than the principal or select the protest ? Just curious if there are any security around validation after-the-fact or go

Because of the way we operate anybody who is finally that can select any of the parties will validate that the information that they provided -- because of the way this works and we don't maintain power of attorney , if you say that you are filing on behalf of the code, that based on the certification we will ticket that you are authorized to file. >> How do you submit hundreds of entries in a claim?

As mentioned before to submit multiple entries I would recommend using the upload function using a text file. We can take up to 9999 entries in a single protest . If you have that many, I think that's very rare. That is our upper limit. So please utilize that entry upload function. >> Is it necessary to hit save frequently? Does the user running a risk -- we give you a warning when you are about to be timed out of the system. However, when you are inputting -- we don't have a draft protest . Once you fill in all the information and click submit your making sure that we have everything that we consider to be necessary to decide a protest and then we said that out to the team. We want to take -- don't hit save a bunch of times because you will

either fail are validations or send it off to the team and then a major protest are provide a bunch of additional information. The required information is not that expensive and because of our use of a lot of document upload functionality and flexibility that will allow from the system and policy standpoint

so just directives to where you need to go. We don't envision this being a problem. >> Is a paper protest still an option if you do not want to do it in ACE?

Yes. We have not got rid of the option.

We do prefer you to do it in ACE. It is easier and then it really addresses the account management that they need in order to process this protest. We've had this question before and we really prefer you to start doing your protest electronically. Go out there and get an account so we are ready to go next week. >> After submission will be be an option to print the data that was entered on the CF 19? That will not be an option, however, we are currently working on some bunch of knowledge to be able to render PDF views. It will not be in the format of the CF 19 but it will be in a PDF format so that you do have that information. We do not have a date for the claimant of that or go that is something that we will be working on. We will take three more questions and then we are going to need to take the rest of these questions back as we are almost at a time.

Is there any information on the website telling us how to add a protest filer account to an existing ACE account? Connect there is -- we published a lot of stuff. There is a structural video for their web for them and there is information on how to use your account. There's a lot of good stuff out there so please reference that material. It is all on CBP.gov. >> To all people that are parties to the protest have ACE accounts have visibility to the protest?

As mentioned before the only person that will have visibility in the port of you when we Go-Live wouldn't be the person who filed that protest in ACE. However, we understand the need for you to see the information. It will start with reports and eventually like to expand it to the whole protest module. That will be very -- it is a very intensive process. We want to make sure that we are not violating any trade

privilege information. Back is a very detailed intensive effort. For the time being, in the portal, only the test of -- protest filer will be able to see a. Eventually we will get there.

Will we be able to create up protest filer account in ACE prior to 8/27 or do we need to wait? No, please do it now. It is available. You can create it. Please do so. To wait as soon as possible.

If you have a paper protest can you do -- if you start a paper, then you will need to complete that protest in paper. If you started electronically, then you get the privilege of using all the electronic actions. >> That is all the time we have for today. I appreciate everyone taken the time to join us. I hope you found it useful. We will get answers to these questions and get back to as soon as possible. This Saturday protest goes live. Please get your protest filer account established as soon as possible. You have might contact email and please reach out to us if you have any issues or questions. We are looking for to this. Thank you again and have a great day. >> [Event Concluded]