

Commercial Customs Operations Advisory Committee (COAC) Government Issue Paper:

U.S. Fish and Wildlife Service Working Group

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U.S. Customs and
Border Protection

OFFICE OF TRADE/TRADE POLICY AND PROGRAMS
U.S. FISH AND WILDLIFE SERVICE WORKING GROUP

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Action Required: Informational

Background:

- On January 12, 2017 CBP announced a temporary suspension of the U.S. Fish and Wildlife Service (FWS) Automated Commercial Environment (ACE) pilot. Subsequently, the Commercial Operations Advisory Committee (COAC) formed a FWS working group under the One U.S. Government at the Border (1USG) Subcommittee. The working group was formed to facilitate talks between government and the trade community relating to FWS's ACE International Trade Data System (ITDS) pilot. The working group has conducted 21 weekly sessions and two tabletop exercises with FWS to discuss operational and technical challenges with obtaining the needed data in an efficient manner.
- As a result, FWS has revised its data collection procedures and has reduced the number of Harmonized Tariff Schedule (HTS) codes that it requires for the submission of additional data through ACE.

Issue: This work provides trade community members the opportunity to engage with FWS and CBP to implement its ACE/ITDS pilot effectively and to find a more efficient and workable solution.

Current Status:

- The working group has addressed operational challenges surrounding the need to balance the collection of data for FWS to effectively carry out its mission while also avoiding undue burdens on the trade community when it comes to data submission via ACE.
- The issue of FWS's intention to require data that is exempt from their specific authorities that they believe is needed to support a filer's disclaim continues to be discussed with an aim towards minimizing the effect on costs and processing that does not impair the flow of legitimate commerce.
- The COAC working group is developing a set of practical and measurable recommendations to adjust the FWS data collection methods to minimize the burden on the trade community while ensuring that FWS has access to data for its regulated commodities.

Next Steps:

- The working group intends to present these recommendations at the upcoming public COAC meeting on August 23, 2017.
- The updated FWS Implementation Guide and MOU Appendix B reflecting these recommendations are tentatively scheduled to be published by October 2017.
- The testing of FWS data submissions in ACE is tentatively scheduled to begin by December 2017. The FWS pilot is tentatively scheduled to resume between March and April 2018.