

# Commercial Customs Operations Advisory Committee (COAC)

## U.S. Fish and Wildlife Service Working Group

(November 2017)



U.S. Customs and  
Border Protection



Trade Transformation Office, Office of International Trade, Trade Policy and Programs  
U.S. Fish and Wildlife Service Working Group  
August 10, 2017

**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 22 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 requires the submission of additional data through ACE during an interim period until a permanent message set will be finalized.

**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 for domestic species that are exempt from their specific authorities to collect. FWS maintains domestic data 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.
- The working group has submitted a White Paper that outlines tariff codes that create the greatest burden for trade to file the extended data set and solutions for the tariff codes.
- The recommendation to develop new tariff codes that will not be flagged by FWS for commodities that do not require FWS message set in ACE is desired by trade to alleviate the burden to provide additional data for commodities that are not regulated by FWS, such as products of leather from domestic cattle, pillow and quilts made from feathers not from an endangered species, and shellfish for human consumption.

**Next Steps:**

- The working group recommendations were presented at the public COAC meeting on August 23, 2017.
- On September 29, 2017, FWS published their acknowledgement of the FWS COAC Working Group's recommendations as considering or pending the implementation of the recommendations.
- The updated FWS Implementation Guide was published on August 11, 2017, and FWS Appendix B reflecting COAC recommendations is tentatively scheduled to be published.
- ACE readiness for the FWS message set is tentatively scheduled to begin by January 1, 2017, for the filer to begin the work with their software vendor to confirm if the vendor is already testing or is set up to test in the CBP ACE Certification (CERT) environment..
- The resuming of the ACE FWS pilot is tentatively scheduled to as April 1, 2018. The start dates are determined if current progress in the ACE programming continues. If the CERT's is pushed to a later date, the pilot date must begin three months after.
- CBP will keep trade informed for all current programming dates for deployment of the ACE FWS Message Set.