

# Commercial Customs Operations Advisory Committee (COAC) Government Issue Paper: (Trade Modernization Subcommittee E- Commerce Working Group)

(November 2017)



U.S. Customs and  
Border Protection



Trade Policy & Programs /Office of Trade  
E-Commerce  
November 2017

**Background:**

- In early 2017, the Commercial Customs Operations Advisory Committee (COAC) formed an E-Commerce Working Group (ECOM) under the Trade Modernization Subcommittee. The working group consists of companies representing various industries, sectors, and small business interests.
- The goal of the group is to identify operational challenges centered on changing business models, the increased volume of small packages, complexities for small businesses and evolving enforcement issues. The group seeks to find workable solutions to these issues, creating a streamlined path forward for CBP, businesses, consumers, and the public to educate and aid in the facilitation of international trade.
- In May 2017, the COAC ECOM under the Trade Modernization Subcommittee and the Section 321 Team focused on solutions for challenges arising from the *de minimis* level change per Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA) and were subsequently combined into one group. The group consists of over 100 members across all industries and PGAs.
- The ECOM/Section 321 Working Group met on August 2-3, 2017, to further discuss and start finalizing their series of Section 321 recommendations that were presented to COAC at the August 2017 meeting and will continue to be presented at the November 2017 meeting.
- The E-Commerce and Small Business Branch is drafting an e-commerce strategic plan. The plan will focus on engaging the public, Congress, and Partner Government Agencies (PGAs).
- The E-Commerce and Small Business Branch participates in eight working groups on e-commerce and leads a Safety & Security E-Commerce Sub-Working Group at the World Customs Organization. The E-Commerce team is actively conducting outreach, leading to more than 80 opportunities to engage with stakeholders on e-commerce and small business issues.

**Current Status:**

- The E-Commerce and Small Business Branch is finalizing its development of an E-Commerce Strategic Plan.
- CBP is working to update its E-Commerce webpage on CBP.gov, to better interact with stakeholders.
- CBP continues to be committed to working with the COAC and other stakeholders to better identify and comprehend challenges that CBP, consumers, and businesses face.
- CBP is also actively engaged at the World Customs Organization (WCO) on the topic of e-commerce. The U.S. is actively participating in WCO working groups focused on e-commerce. CBP co-chairs the Safety & Security Working Group along with the International Air Transport Association (IATA) and the International Federation of Freight Forwarders Association (FIATA).
- CBP attended WCO e-commerce meetings in October 2017. DHS participated as well. The WCO sub-working groups are creating a handbook on Cross Border E-Commerce, a communique for an upcoming World Trade Organization meetings in December, and an updated immediate release guidelines document.

**Next Steps:**

- CBP is working to finalize the E-Commerce Strategic Plan.
- CBP is working to develop a public toolkit for new importers.
- CBP is working with the WCO to update relevant WCO documents, identifying risk factors, and creating best practices.

Submitted by: John P. Leonard, Executive Director, Trade Policy & Programs, Office of Trade

Date: October 25, 2017