

Commercial Customs Operations Advisory Committee (COAC) Recommendations

February 28, 2018



TRUSTED TRADER SUBCOMMITTEE

The COAC recommends:

010293

1. CBP engage a large group of industry to socialize the CTPAT MSC in a public comment forum, with sufficient timeline to enable feedback and consolidation before finalizing the new MSC. This would function similar to a regulatory comment period and further the co-creation process. Comments received from industry should be considered, and the MSC should be updated appropriately, to ensure that CTPAT meets the shared goal of security and trade facilitation. The comment period should be flexible and no implementation should move forward until this is complete.

010294

2. Simultaneously, CBP should encourage companies to provide feedback on additional tangible benefits for participation in the program.

EXPORTS SUBCOMMITTEE

010295

Targeting Regime: Based on the success of the Air Cargo Advance Screening pre-departure targeting strategy, we recommend that CBP structure its export targeting system in a manner that maximizes the early targeting of export shipments while simultaneously ensuring that the national security concerns of the United States are fully accounted for. In particular, we recommend that CBP utilize the export pilot period, in close collaboration with pilot participants and other industry representatives, to, first, test out various methods for accomplishing the earliest possible targeting of export shipments, and second, accurately measure the impact of late targeting of cargo carrier operations and the movement of legitimate cargo in order to facilitate a proper cost-benefit analysis for the regulatory rule-making process.

010296

Hold Regime: Similar to early targeting, the success of the automated export manifest will also depend upon the ability to intercept shipments requiring inspection at the earliest possible point, prior to consolidation taking place. We therefore recommend that CBP utilize the export pilot period, in close collaboration with pilot participants and other industry representatives, to

examine potential mechanisms to empower early inspection and the ability of forwarders and carriers to have input into the location for inspection, and to test the best candidates in real time.

010297

Account Management for Manifest Compliance: Air carriers have long requested centralized account management with regard to carrier compliance with manifest requirements. As air will soon be subject to three individual electronic manifest regimes – import manifest, Air Cargo Advance Screening, and export manifest, the drumbeat for account management will only increase. We therefore recommend that, as an integrated part of the air automated export pilot, CBP and 2-3 volunteer air carriers engage in a proof of concept for account management of carrier manifesting compliance.

010298

Post Departure Filing: COAC recommends that

- CBP work with Census and carriers participating in the automated export manifest pilot to identify Post Departure Filers to participate in testing during the manifest pilot
- CBP begin to utilize, in the nearest possible timeframe, the export pilot to validate the concept of a low risk exporter program as put forth in the Post Departure Filing proposal.

TRADE ENFORCEMENT AND REVENUE COLLECTION (TERC) SUBCOMMITTEE

010299

In support of recommendation #010282 to establish a separate supplemental AD/CVD Bond, COAC recommends that CBP pilot the proposed bond formula with surety members of the Bond Working Group prior to implementing any regulatory changes to meet Section 115 of the Trade Facilitation and Trade Enforcement Act (TFTEA). This pilot will provide valuable input to CBP to help establish policy, automation requirements in ACE, and provide a smooth transition for the trade.