

**Commercial Customs Operations Advisory
Committee
Intelligent Enforcement Subcommittee
Executive Summary**

March 2024

COAC

COMMERCIAL CUSTOMS OPERATIONS
ADVISORY COMMITTEE

**Commercial Customs Operations Advisory Committee (COAC)
March 2024**

**Report of the Work of the
COAC Subcommittee on Intelligent Enforcement**

Co-Chairs

Heather Litman – GDLSK

Julie Pojar - Kohler

Matt Zehner – Roanoke Insurance Group

Intelligent Enforcement Subcommittee Members:

Brian Barber, Angela Cook, Dave Corn, Tom Gould, Kerry Novak, Cynthia Roller, and Travis Skinner.

Background

The following working groups make up the Intelligent Enforcement Subcommittee:

1. The Anti-dumping and Countervailing Duty AD/CVD Working Group, Chaired by Matt Zehner.
2. The Forced Labor Working Group, Co-chaired by Tom Gould and Kerry Novak.
3. The Intellectual Property Rights (IPR) Process Modernization Working Group, Chaired by Heather Litman.
4. The Bond Working Group, which was placed on hiatus December 13, 2023.

All subcommittee objectives and scope are consistent with the official charter of COAC.

Summary of Work

The Intelligent Enforcement (IE) Subcommittee is responsible for looking at opportunities to enhance trade and government processes, policies, and programs, with the goal of strengthened compliance by the trade through CBP outreach. The IE Subcommittee currently consists of three active working groups. Each will have substantial tasks over the 17th term.

Antidumping and Countervailing Duty Working Group (AD/CVD WG):

The AD/CVD WG continues building upon the work and recommendations of the 16th Term and earlier COAC AD/CVD WGs. The AD/CVD WG intends to meet monthly. The AD/CVD WG met once this quarter and the next meeting will be scheduled in March 2024.

The AD/CVD WG focuses its efforts on ways to facilitate imports of compliant importers and ways for importers to achieve high compliance. The AD/CVD WG also continues with the ongoing work from the 16th Term COAC WG as it pertains to non-resident importers and the topic of better accuracy with AD/CVD entry filing. Additionally, the WG assesses the implementation status of the prior recommendations from this group, and where fully

implemented, the WG will review the efficacy of the proposal. Where necessary, matters involving Sections 201, 232, and 301 will be discussed by this WG.

Under the theme of better accuracy with entry filing, CBP launched Project Harvest, a process that helps notify entry filers about potential errors or missing case numbers very early in the filing process. The WG plans to discuss the recently announced enhancements to entry summary filing that provide information regarding the existence of AD/CVD-related certifications on file.

The AD/CVD WG does not have any recommendations to submit for the March 2024 public meeting.

Forced Labor Working Group (FLWG):

The FLWG was unable to meet this quarter as a full working group, although the leadership team did meet once to discuss and finalize the Statement of Work (SOW). The FLWG will continue to support CBP for intelligent and balanced enforcement and enabling two-way communication with the trade on forced labor related topics. The FLWG will continue to partner with CBP on identifying opportunities for process and communication improvements in the 17th term. A priority will be continued recommendation implementation progress and closure.

The FLWG does not have any recommendations to submit for the March 2024 public meeting.

Intellectual Property Rights Process Modernization Working Group (IPRWG):

The IPRWG consists of participants from government and industry, including current members of the COAC, rights holders, importers, and additional subject matter experts most concerned with IPR enforcement.

During the 16th Term of COAC, the IPRWG completed substantial and meaningful work developing comprehensive recommendations focused on operational deliverables that will benefit rights holders, CBP, and the wider trade. In the 17th Term, the IPRWG will work to ensure that past recommendations are fully implemented and develop recommendations designed to enhance communications between CBP, rights holders, and the trade community regarding enforcement actions.

The IPRWG does not have any recommendations to submit for the March 2024 public meeting.

Conclusion

The IE Subcommittee is eager to provide updates from the AD/CVD, Forced Labor, and IPR Process Modernization WGs at the March 2024 public meeting. Three of the WGs continue to be active; the Bond WG was placed on hiatus prior to the close of the 16th Term. Looking forward, we will continue to evaluate potential opportunities to enhance trade and government processes, policies, and programs, with the goal of strengthened compliance by the trade through CBP outreach.