

Office of Field Operations
Cargo and Conveyance Security
Outbound Enforcement & Policy Team
December 29, 2015

Action Required: Informational

Issue: Electronic Export Manifest Pilots – Update

Background: Based on the Trade Act of 2002 and the Safe Port Act of 2006, U.S. Customs and Border Protection has announced three electronic export manifest pilots via Federal Register Notices (FRN). These pilots are for ocean, air and rail export manifests.

CBP anticipates implementing pilots with multiple phases (progressing pilots) where participants can progress through each test phase at their own pace in consultation with CBP. CBP's approach to all export manifest pilots (including the future truck pilot) will be to work in collaboration with the trade community to develop operationally accurate tests which can ultimately transition seamlessly from tests to the eventual end state via final rule.

The three general phases for each pilot:

1. Test Phase – participants and CBP will exchange electronic test data.
2. Data Quality and Analysis Phase – participants and CBP will exchange production data and CBP/participants will identify data quality issues. CBP will perform risk assessment analysis before going operational and will provide feedback to participants prior to Operational Phase.
3. Operational Phase* – CBP performs real-time risk assessment of incoming data, places holds where appropriate and conduct inspections as warranted.

- * CBP anticipates having multiple “progressing” segments in the Operational Phase of each pilot. Each segment will build upon the previous one and adjustments will be made along the way as we learn from the tests.

We are mindful that any final rule related to export manifest must balance our security and compliance responsibilities with our responsibility to foster and enable international trade.

Our overall goal is to establish a well-integrated multi-modal model(s) for exports.

Current Status - AIR: The Air electronic export manifest pilot was announced in the FRN in July 2015. A number of air carriers and indirect air carriers (freight forwarders) have volunteered to participate and the initial pilot group has been established.

On November 17, 2015, an Air export manifest pilot meeting was held at CBP headquarters in Washington DC. The day-long event was attended by pilot participants, air industry associations, CBP leadership/policy/operations personnel and Census.

Air export manifest pilot “assumptions” have been drafted and exchanged.

Test data messages between a limited number of pilot participants and CBP has begun.

Current Status - OCEAN: The Ocean electronic export manifest pilot was announced in the FRN in August 2015. CBP has received a number of volunteers for the ocean pilot and the initial pilot group has been established.

On December 17, 2015, a conference call was conducted between CBP, Census and the pilot participants.

A few ocean carriers are currently sending test data messages and limited production data to CBP.

Current Status - RAIL: The Rail electronic export manifest pilot was announced in the FRN in September 2015. CBP has received a number of volunteers for the rail pilot and the pilot group has been identified.

The first rail pilot conference call has been scheduled for January 7, 2016.

One rail carrier/pilot participant has been testing data with CBP since August 2015.

Current Status - TRUCK: A working group has been established by the Office of Trade Relations to develop the Truck electronic export manifest pilot. The working group will discuss the nature of truck operations crossing into Canada and/or Mexico. Based on the working group discussions, a FRN announcing the pilot will be issued.

On December 18, 2015, a conference call was held between CBP and the truck working group. The call provided a current status and level-set for participants. General principles for the pilot were discussed as were challenges, current/future concerns and questions.

It is anticipated that in part, due to the complexities of truck operations, the Truck electronic export manifest pilot FRN will take some time to publish.

Next Steps: The pilots will expand the Testing Phase for all participants over the next 30-90 days and seek to increase the exchange of production data over the next 30-120 days.

CBP continues to receive additional volunteers for all pilots. These additional volunteers will be evaluated for participation in the pilot during the expanded phase of the pilot.

In parallel, CBP will be seeking to establish the linkage/recognition between Trusted Trader and export manifest and we will work cooperatively with Census and COAC to cultivate a solution for a new post departure filing (option 4) regime.

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