

ADVISORY COMMITTEE ON COMMERCIAL OPERATIONS TO U.S. CUSTOMS AND BORDER PROTECTION (COAC)

Government Report On: Automated Commercial Environment (ACE) and Single Window Implementation

January 2016

General

- On February 19, 2014, President Obama signed an Executive Order intended to streamline the import/export process by calling for the completion of a “single window” that will allow businesses to electronically transmit the data required by the U.S. Government to import or export cargo. ACE will become that “single window.”
- Through ACE, Federal agencies will have earlier, automated visibility to shipment data, expediting their import or export assessments at the border and speeding the flow of legitimate trade while also improving security, health and safety of cargo.
- ACE will ultimately be the primary processing system through which the trade-related data required by all Government agencies is submitted and processed¹.
- Interactions between Partner Government Agencies (PGAs) will be automated to enable near-real time decision making, reducing costs for business and Government.
- CBP and the PGAs have made significant progress on the implementation of ACE and single window filing capabilities and are on track to complete implementation by the December 2016 timeframe set forth in the Executive Order.

Mandatory Use Dates for ACE

- To facilitate implementation of Single Window/ACE, CBP has established mandatory dates for the use of ACE – the first of which has already been implemented.
 - On May 1, use of ACE became mandatory for all electronic manifest filings.
- Significant work is currently underway in preparation for the next mandatory implementation which will require the filing of all electronic entry/entry summary transactions in ACE.
- Working in close coordination with the Department of Homeland Security, the Border Interagency Executive Council, and the White House, CBP has been actively tracking and assessing stakeholder readiness for the mandatory filing of all electronic entry and entry summaries in ACE.
- The timeline for mandatory transition to ACE for electronic entry and entry summary filing is as follows:
 - **Nov 1, 2015:** Beginning of a transition period for electronic entry and entry summary filings in ACE to allow industry and participating government agencies more time to test and provide feedback as they fully transition into the new system. Use of ACE is allowed and encouraged for electronic entry and corresponding entry summary filings for entry types 01, 03, 09, 11, 23, 51, and 52 with or without PGA data.
 - **Feb 28, 2016:** At this time, filers will only be permitted to file in ACE, and no longer permitted to file in ACS, all electronic entries and entry summaries. In

¹ Application forms for permits and licenses excluded from the Single Window.

addition, electronic Food and Drug Administration (FDA); National Highway Traffic Safety Administration (NHTSA); and Animal and Plant Health Inspection Service (APHIS) Lacey Act data must be filed in ACE and ACS will no longer be available.

- **July 2016:** Sometime in summer (July) 2016, CBP intends to issue a regulation that disallows hybrid submissions. Upon publication of this Final Rule, ACE must be used for filing. Also by July 2016, CBP anticipates that PGAs with entry/entry summary requirements will conclude publication of their required regulatory revisions. As such, at this time electronic data for the following agencies will be required to be filed via ACE: Agricultural Marketing Service (AMS); Bureau of Alcohol, Tobacco and Firearms and Explosives (ATF); Remaining APHIS data; Centers for Disease Control (CDC); Defense Contract Management Agency (DCMA); Directorate of Defense Trade Controls (DDTC); Drug Enforcement Administration (DEA); Enforcement and Compliance Commission (E&C); Environmental Protection Agency (EPA); Fish and Wildlife Service (FWS); Food Safety and Inspection Service (FSIS); National Marine Fisheries Service (NMFS); and Alcohol and Tobacco Tax and Trade Bureau (TTB).
- Following the deployment of core trade processing capabilities in ACE in 2016, CBP will continue to enhance ACE capabilities in an operations and maintenance mode. New projects/requirements, however, will need to be approved in line with CBP's trade priorities and funded.

Deployment/Functionality Status

- Five of seven primary deployments have been delivered.
 - More than **85% of Single Window** integration capabilities have been deployed.
 - Delivered core technical foundation for the PGAs and are now focused on integrating more PGAs.
 - **100% of Import Manifest** functionality is now in ACE.
 - ACE now processes import manifests in all modes of transportation.
 - Nearly **95% of core Cargo Release processing** capabilities have been delivered in ACE.
 - Cargo release functionality is now operational for all modes of transportation at all CBP ports.
 - More than **80% of Post Release** capabilities are available in ACE.
 - The most common entry summary types can be filed now in ACE. Entry types 01, 03, 06, 11, 23, 51 and 52 are available for filing in ACE.
 - On February 27, 2016, CBP will deploy most of the remaining entry summary types. CBP encourages trade to test these entry summaries in the Certification environment.
 - We are continuing work on capabilities for downstream processing – we have reconciliation, drawback and protest also scheduled for our final deployment in July 2016.
 - More than **90% of export processing** functionality has been deployed in ACE.
 - The Automated Export System (AES) is now part of the ACE platform.
 - Capabilities have been deployed to support electronic export manifest filing for air, rail and sea modes.

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- Federal Register Notices have been published announcing pilots for the air, ocean and rail modes.
- CBP is working with Census to integrate AESDirect with ACE
- ACE exporter accounts and export reports were delivered in June 2015.
- Trade beta testing of ACE AESDirect filing capabilities began on September 21, 2015. ACE AESDirect was opened to all filers in November 2015.
- **PGA Pilots:**
 - Pilots with PGAs impacted by the implementation of the mandatory electronic entry/entry summary deadlines are underway. All pilots underway are open to all filers and all ports; however, these pilots do not include every PGA program impacted by the mandatory entry/entry summary dates.
 - There are **15** PGAs with requirements at time of entry/entry summary.
 - **13** ACE pilots are currently available.
 - **3** of these 11 will be required to be filed in ACE by February 28, 2016 – FDA, NHTSA and APHIS (Lacey Act) – **and are currently piloting PGA Message Set in ACE.**
 - DEA and FWS are working with CBP to initiate pilots as soon as possible.
 - In order to participate in these pilots, filers need to:
 - Contact their vendor to ensure their software is ready to file PGA Message Set for the subject PGA.
 - Contact their Client Rep to set up the profile in ACE