

**Advisory Committee on  
Commercial Operations to Customs and Border Protection (COAC)  
Subcommittee on Exports  
Status Report  
January 2016**

**Background:**

The Export Subcommittee was established on March 6, 2013, during the 13th term of the Commercial Operations Advisory Committee (COAC), with its objectives and scope consistent with the official charter of COAC. The 14<sup>th</sup> term COAC, at its first quarterly meeting on April 24, 2015, determined that the Export Subcommittee would continue its work during the 14<sup>th</sup> term.

COAC: Heidi Bray, Member and Elizabeth Merritt, Member  
CBP: Rich DiNucci, Executive Director, Cargo and Conveyance Security, Office of Field Operations  
Deborah Augustin, Executive Director, ACE Business Office, Office of International Trade

**14<sup>th</sup> Term Subcommittee Update – January 2016:**

The Export Subcommittee’s work and working groups generally divide along a “commodity/manifest” line. The significant overlap between the topics addressed in these two “divisions” is kept in mind at all times, and the maximum possible exchange of information is accomplished by ensuring sufficient crossover in working group membership. At present, there are two active work streams: the Post-Departure Filing (formerly known as “Option 4 Filing”) Work Group and the Manifest (Export Process) Work Group.

**Post-Departure Filing Work Group**

- The Post-Departure Filing Work Group was relaunched in November 2015, after a brief hiatus during which an adjusted work plan was developed based upon the recommendation approved at the July 2015 COAC meeting and upon ongoing government/trade discussions and the exchange of work product. The work group is now examining the export risk environment in depth, and the potential “tools in the toolbox” – both existing and to-be-developed – that could reduce/mitigate the risks identified by CBP. A desktop exercise that will walk through these risks and risk mitigation tools is being scripted, with intensive co-creative discussion to begin in late January. Particular attention will be paid to how AES account-based filings and the advance manifest initiative (in all modes of transport) can be leveraged to preserve “fully post-departure” AES transactional filings, which will simultaneously avoid imposing an undue “two-touch” transactional filing burden on current post-departure filers and allow the certification of new post-departure filers.

### Manifest Export Process Work Group

- The Manifest Work Group, consisting of representatives from the Air, Ocean, Rail and Truck modes of transport, as well as from the commodity-filer community, commenced an intensive schedule of bi-weekly calls in mid-2015 which will continue into 2016. The work group's first priority was an in-depth discussion of the FRNs for the Air and Ocean export electronic manifest pilots in order to provide any necessary recommendations to COAC.
- CBP has now set up "pilot participants' working groups" for both the Air and Ocean automated export manifest pilot programs. The Air group met in Washington D.C. on November 17, 2015 and the Ocean group's meeting is currently scheduled for February 4<sup>th</sup>, 2016.
- The COAC Manifest Work Group will maintain ongoing communication with these pilot groups, and their establishment will now allow COAC to "zoom out" and return to a higher-level review of pilot progress, in particular how the pilots are aligning with recommendations already made to CBP, whether these recommendations should be adjusted/modified, and what additional recommendations might be needed. The Manifest Work Group will also be focusing closely on the multi-modal aspects of US exports to ensure these are accounted for in the IT and regulatory solutions that are developed, as there is now a rare opportunity for industry and government to resolve multi-modal disconnects as the automated export manifest system and regime is developed "from scratch."
- The Air pilot was discussed in detail by the Manifest Work Group, and reports and recommendations were presented at the July and October 2015 COAC meetings. At the pilot participants' meeting held on November 17, 2015, it appears that a base-level consensus on many issues regarding data elements, the timeline for their submission, and the practical roll-out of the Air pilot was reached between CBP and the pilot carriers/forwarders. The COAC Manifest Work Group expects to provide a more in-depth report on the Air mode at the April quarterly meeting.
- Discussion of the Ocean automated export manifest FRN commenced in the COAC Manifest Work Group, but this work has now moved to the Ocean pilot participants' work group. The COAC Manifest Work Group expects to provide a more in-depth report on the Ocean mode at the April quarterly meeting, to possibly include initial Ocean recommendations.
- The Truck mode has commenced its work with a level-setting call for all participants in December and with the collection of questions and concerns with regard to the Truck export manifest. Focused on the northern and southern US borders, the Truck group will maintain close relations with the North American Single Window Work Group established under the COAC One USG Subcommittee as their work progresses.
- Most of the CBP-industry joint work related to the Rail pilot is taking place outside of the COAC framework, but Rail representation is included in the manifest work group to ensure that any multi-modal issues are identified and addressed.

### Subcommittee 13<sup>th</sup> Term Accomplishments:

- Given the statement of work, past subcommittee findings, and pending export regulatory changes, the Export Subcommittee began with the basics of export process mapping for

each unique export type, producing an Education Package that identified pain points, areas of opportunity and potential solutions.

- Engaging a variety of members across the government and trade, a Master Principles Document was produced for One U.S. Government at the Border Cooperation for Exports. With the key concerns of the trade in mind, the document was designed to ensure the efficient management of cross border issues in a manner that reduces the cost of doing business. The principles establish a government/trade foundation upon which to build the future of data exchange, the determination of engagement expectations, and the development of a cooperative approach to achieve the appropriate risk-based strategies and standards that secure cargo movement and facilitate trade at the speed of business.
- The Export Process Work Group was established and charged with further analyzing the process flows and areas of opportunity identified in the export mapping exercise, and with providing specific recommendations for consideration by the subcommittee. The EPWG was designed to address the 3 commodity types (licensed, non-licensed, and “Option 4”), and the 4 modes of transport (air, ocean, rail and truck) mapped in the 2013-14 exercise.
  - The licensed commodity sub-group completed its work and delivered 18 specific recommendations (all approved) during the 13th Term final COAC Quarterly Meeting on February 11th, 2015.
  - The air manifest sub-group began its work during the 13th Term, delivering one recommendation (approved) regarding freight forwarder participation in the electronic export manifest pilot during the 13th term COAC quarterly meeting on October 7, 2014, and will deliver additional recommendations during the 14th term.