

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13001	13	05/22/13	GSC-Land	FAST for carriers - CBP has been very creative in developing processes for conducting C-TPAT validations remotely. However, current CBP travel restrictions do not allow for onsite meetings in Mexico, thereby preventing many C-TPAT certified carriers from participating in FAST. We recommend that CBP develop an alternative to onsite validations that will allow new C-TPAT carriers to become FAST lane participants.
13	N/A*	13	05/22/13	TT	Trusted Trader Program –Before issuing the final Trusted Trader program requirements, we urge CBP to allow us to have an opportunity to review the results of all pilots and provide input to the program in its totality before we (as COAC) decide whether to endorse the program.
13	13002	13	05/22/13	TM-ACE	ACE - Given that the Trade community has been asked to make significant financial commitments and investments in the development of the automation of new international trade systems and process changes necessary to adapt to ACE deployment, COAC recommends that CBP continue to move expeditiously, according to a very well-defined schedule and timeline as previously provided to COAC, to finish development and deliver full ACE functionality with full PGA integration within 3 years. Further, that the progress and achievements of these development efforts should be reported to COAC at least every quarter.
13	13003	13	08/07/13	EX	<p>We recommend that CBP, in conjunction with COAC, develop a combined Government approach to risk, process, guidance and correction by establishing a One US Government for Exports Work Group.</p> <p>We recommend the work group tasking result in the delivery of a One US Government for Exports, using the One U.S. Government Master Principles document for Imports as a model. The Master Principles document is critical to harmonize the voice of trade and provide guidance to the US Government on the desired balance point when considering the criteria of outbound speed and cost, the necessary mitigation of US risk, and foreign inbound speed and cost.</p> <p>We further recommend that at a minimum this work group consider the following inputs prior to creating the Master Principles for Exports: scope, constraints, and timing from CBP, current state jurisdiction and current risks, mutual recognition, the President’s National Export Initiative (ITDS for Exports and Export Control Reform status), agency alignment in export enforcement, and the particular opportunities for improvement and solutions provided by the EMWG and related USG feedback. Finally, we recommend that group membership include CBP, BIS, Commerce, DDTC, and trade representation from PGA FACA appointees, exporters, carriers, forwarders and brokers.</p>
13	13004	13	08/07/13	EX	<p>We recommend that CBP, in conjunction with COAC, create an Export Process Working Group (EPWG) to focus on prioritizing acknowledged opportunities for improvement, review the C-TPAT for exporter criteria in close alignment with the Trusted Trader COAC Sub-committee, and to focus on designing a future state export process that will serve to implement the developed One USG master principles for exports.</p> <p>Engaging government and trade expertise to focus directly on the process, prioritizing short-term and long-term, will begin to deliver a streamlined future process that considers business, trust, and risk.</p> <p>We further recommend that at a minimum this work group consider the following inputs prior to delivering on the tasking: scope, constraints, and timing from CBP Mapping Work Group Education Package, Imports/Exports One USG Master Principles Document,</p>

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
					AES status, the President’s National Export Initiative (ITDS for Exports and Export Control Reform status), C-TPAT draft criteria, Mutual Recognition Requirements for Exports, Authorized Economic Operator (and other export component programs), ACAS feasibility study, best practices in Government to Government (US to Canada – sharing of import information for export purposes). Finally, we recommend this group include members of CBP, BIS, Commerce, DDTTC, and trade representation from PGA FACA appointees, exporters, carriers, forwarders and brokers. We also believe that at the proper point, CBP should consider engaging the World Customs Organization (WCO) members from foreign governments to continue global facilitation efforts.
13	13005	13	08/07/13	EX	<p>We recommend that CBP, in conjunction with COAC, create an Export Visibility, Amendments, and Controls Work Group to focus on delivering specific recommendations to promote supply chain visibility, USG transparency, and compliance.</p> <p>We envision these recommendations being realized via an automated single “system” applying best practices for internal assessment and controls monitoring. Working together to resolve and develop requirements for visibility, amendments, and controls is integral to trade efficiency and compliance and will further implement desired elements associated with a One USG Export Master Principles vision.</p> <p>We further recommend that at a minimum this work group consider the following inputs prior to delivering on the tasking: scope, constraints, and timing from CBP, Mapping Work Group Education Package and Export Survey Results, current amendment processes, agency alignment in export enforcement, best practices in export control monitoring, and the One US Government Master Principles for Exports document. Finally, we recommend this group include members of CBP, BIS, Commerce, DDTTC, and trade representation from PGA FACA appointees, exporters, carriers, forwarders and brokers.</p>
13	13006	13	08/07/13	EX	<p>We recommend that CBP engage with the trade to share the export education packages with CBP export and outbound roles in addition to other groups and forums.</p> <p>We encourage CBP to develop and share a list of enhancements as they are implemented as a result of this exercise. We further recommend CBP continue their dialogue with Census, BIS, and DDTTC on the opportunities for improvement and continue to work with the trade on solutions.</p>
13	13007	13	08/07/13	GSC-ACAS	<p>Recognizing the unique constraints that necessarily accompany the earliest possible transmission of raw data and the significant impact that the language of the ACAS regulations will have on advance data requirements worldwide, draft ACAS-specific data element definitions that</p> <ol style="list-style-type: none"> a. are more expansive than the equivalent Air AMS data element, b. promote the earliest possible transmission of data for targeting, and c. match as closely as possible the working definitions that have been used and proven effective during the pilot period.
13	13008	13	08/07/13	GSC-ACAS	<p>Develop an efficient and well-crafted ACAS compliance regime that</p> <ol style="list-style-type: none"> a. adopts an account-based management approach, including the establishment of a carrier account manager structure for advance cargo data, analogous to that which exists for the advance passenger information system, that allows the full picture of a participant and its compliance level to be taken into account in the determination of appropriate compliance measures,

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
					<ul style="list-style-type: none"> b. focuses on the quickest possible identification and remediation of compliance failures, as opposed to devoting limited resources on both the industry and government side to the imposition of transaction-based monetary penalties and subsequent time-consuming mitigation process, c. that targets negligently or intentionally non-compliant parties, particularly those found to be engaging in fraud, and employs broad discretion in the determination to assess liquidated damages against generally compliant parties demonstrating robust efforts to meet ACAS requirements, and d. includes a sufficiently long period of informed compliance to allow the trade to make all necessary process changes and IT system modifications to meet ACAS requirements.
13	13009	13	08/07/13	GSC-ACAS	<p>Ensure that the filing regime is designed to achieve ACAS’s primary policy objectives – namely, enhancing air cargo security by obtaining the earliest possible data submission, while simultaneously avoiding unnecessary negative impacts on air carrier operations, the air cargo business model, and the movement of legitimate goods. In particular:</p> <ul style="list-style-type: none"> a. Recognize both the Integrated Carrier – Conventional Carrier business model and the Freight Forwarder – Conventional Carrier business model, as well as the integrated carriers, conventional carriers and freight forwarders themselves, as distinct entities with regard to commercial practices, operational characteristics and technological capacities that necessitate unique self-filing regimes in terms of pre-requisites for participation and regulatory responsibility. b. Recognize ACAS as a discrete advance data system justifying development of a specific self-filing regime that differs from Air AMS in terms of pre-requisites for participation and regulatory responsibility.
13	13010	13	08/07/13	TM-ROTB	<p>There is a recommendation that there be a continuing education component to the customs broker license of a minimum of 40 hours of continuing education over a 36-month reporting period. The COAC recommends that a minimum of 32 hours of the continuing education be accredited, and that a maximum of 8 hours of education may come from non-accredited sources.</p> <p>It is recommended that CBP take a measured, commercially reasonable approach to the 40-hours continuing education requirement for customs brokers that are wishing to reactivate a license that is inactive.</p>
13	13011	13	08/07/13	TM- ROTB	<p>The second recommendation is that the reporting of the continuing education should be tied into the triennial reporting of the licensed customs broker. The consolidated reporting will remove a separate reporting requirement, and the timing will make compliance easier for brokers.</p> <p>It is further recommended that the reporting of the license holder and the continuing education be done together in ACE. This will eliminate some of the challenge that CBP has with the current reporting program and make compliance easier for the broker as well.</p>
13	13012	13	08/07/13	TM-ACE	<p>Automated Commercial Environment Working Group Recommendation:</p> <p>It is critical for CBP to continue the ongoing dialogue and provide timely information to the trade community in order to ensure a successful transition from ACS to ACE. COAC recommends that CBP announce definitive transition dates for this conversion and that the determination of these dates provide for a period of 18 months from the release of the technical application documentation.</p>

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13013	14	11/15/13	1USG	<p>The One US Government at the Border Subcommittee recognizes U.S. Customs & Border Protections' (CBP) work towards the One US Government (1USG) Single Window Concept and recommends:</p> <ul style="list-style-type: none"> • CBP support the continued development of the International Trade Data Set (ITDS) Single Window to include all Partner Government Agency (PGA) requirements, including FDA, in the PGA Message Set. • CBP accepts 1USG unified import filings including PGA data up to 30 days prior to shipment's departure from the foreign origin. CBP should pass the PGA message set data to the PGA upon receipt. The PGA should review the data for admissibility as early as possible, well in advance of the cargo's arrival. The PGAs will benefit from early data filing, affording the PGA more time to assess risk, review importer & product compliance, and make admissibility decisions while effectively managing their resources. The precedent of early submission requirements of import data is exemplified in Air Cargo Advanced Screening (ACAS), FDA Prior Notice and CBP Importer Security Filing (ISF). • Upon receipt of 1USG unified import filings, CBP shall provide clear, concise and coordinated messaging to the trade on the status of entry release data and PGA data submission through ACE. The trade requires a consistent message set that includes anticipated status information from each Partner Government Agency as well as CBP. The message set should also provide examination information for planning purposes. The trade community recognizes that the final CBP and PGA cargo release messages will not be issued until one of the following occurs: goods are laden on the vessel (Ocean), wheels up (air), train consisted (rail) or cargo arrives at the border (truck).
13	13014	14	11/15/13	1USG	<p>The COAC 1USG@TB recommends CBP work with the Partner Government Agencies through the Border Inter-Agency Executive Council (BIEC) to ensure support for CBP and PGA Trusted Trader programs.</p> <ul style="list-style-type: none"> • Trusted Trader participants who submit full advance data submissions should be provided a CBP/PGA cargo release response message (not the anticipated status information received by non-trusted traders) prior to arrival of the cargo, according to a defined and predictable timeline (based on Mode of Transportation or MOT). In the absence of a credible threat and/or real evidence of a goods' inadmissibility, shipments for Trusted Traders shall not be delayed or detained based on the mere "appearance of" a violation without observed evidence of an actual violation. • Trusted Trader programs shall be designed to fully leverage CBP's and the trade's investment in Compliance and Security programs such as the Customs – Trade Partnership Against Terrorism (C-TPAT), Importer Self Assessment (ISA), and Focused Assessment (FA) programs. The COAC acknowledges the significant contribution of time and resources that program participants make, and recommends that participation in these programs sets the stage for the participation in PGA Trusted Trader programs, such as the FSMA/FDA Voluntary Qualified Importer Program (VQIP).
13	13015	14	11/15/13	1USG	<p>The COAC recommends CBP, PGAs and the trade community develop an efficient process to allow timely and early electronic corrections of data, whether or not the information is considered material for admissibility purposes.</p> <ul style="list-style-type: none"> • COAC supports the early filing of data, with the ability for the data to be updated as new information becomes available. Entry corrections shall be allowed prior to arrival or post arrival through the ACE corrections and deletions program. • Correction of clerical errors should not impact CBP or PGA targeting of Trusted Traders. • In addition, the trade community should be notified via ABI or other means if the Partner Government Agency makes an adjustment or updates the data filed by the trade.

Note: Based on Information reported to GSA-FACA Database for FY2013 - FY2015 Reporting Cycles

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13016	14	11/15/13	1USG	<p>The COAC recommends that via the BIEC, CBP should work with the PGAs to define the most workable and efficient way to incorporate the relevant PGAs into the Centers for Excellence & Expertise (CEE) according to industry. CBP should work via BIEC to ensure adequate PGA support for the CEEs, with the ultimate goals of:</p> <ul style="list-style-type: none"> • Making Admissibility Decisions • Fostering Transparent & Standardized Decision Making to Facilitate a Predictable Supply Chain. • Providing an Empowered Point of Contact to whom issues may be escalated. • Facilitating Trade Education & Communication
13	13017	14	11/15/13	1USG	<p>The COAC recommends CBP work with FDA to provide for electronic notification via ACE when a FDA Notice of Action is issued. The trade recognizes that the FDA Notice of Action will be available via ITACS but believes the electronic notification to the filer via ACE will enhance the trade's ability to respond to the FDA Notice.</p>
13	13018	14	11/15/13	1USG	<p>The COAC recommends CBP work through the BIEC, to encourage the Partner Government Agencies to review the efficiency of their entry release process, identifying clearance bottlenecks, and working to reduce those chokepoints. Analysis of their release process could lead to efficiencies through centralized entry reviews and expanded coverage hours. Delays or detention of goods while waiting for the PGA to determine admissibility could be avoided through more efficient entry release processes, consistent with how global supply chains function.</p> <p>The COAC recommends that CBP work through the BIEC, to encourage PGAs to provide admissibility decisions at the time of Cargo Release.</p>
13	13019	14	11/15/13	1USG	<p>The COAC recommends CBP work with FDA, CPSC and any other PGA who utilizes CBP's Penalty or Liquidated Damage systems, to define and publish penalty mitigation guidelines for the PGA, taking into account an importer's Trusted Trader status.</p> <p>In conclusion, the One US Government at the Border Subcommittee believes these recommendations are consistent and in the spirit of COAC's 12th Term One U.S. Government at the Border (1USG) Master Principals document, the SAFE Port Act of 2006, the ITDS "single window" requirements and supports The Department of Homeland Security (DHS) Global Supply Chain Security Strategy. DHS's "Extending the Border Priorities" supports the early electronic submission of entry data. Early filing in ACE prior to the arrival of cargo at the port of entry (POE) provides significantly improved opportunities for 1USG security and compliance risk assessments, greater resource planning and cost management efficiencies for both CBP as well as the Partner Government Agencies (PGAs). In return, the trade community would benefit from materially improved predictability and flow of lawful trade. Early filing of entry data does not preclude CBP or PGA from conducting physical exams or inspections.</p>
13	13020	14	11/15/13	GSC	<p>Regulatory requirements for filing air advance data should closely follow successful processes used in the ACAS pilot.</p>
13	13021	14	11/15/13	GSC	<p>Prior to publication air advance data regulations should be carefully reviewed to ensure that they do not conflict with the Trade Act.</p>

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13022	14	11/15/13	GSC	To promote harmonization of data and physical cargo security protocols, the ACAS Workgroup should add mapping of cargo tra scenarios, identification of issues, and development of workable solutions to its mandate.
13	13023	14	11/15/13	TM-ROTB	Modify 19 CFR section 111.36 (c) to require that brokers obtain a power of attorney directly from the importer. Nothing should prevent the broker from communicating directly with the importer.
13	13024	14	11/15/13	TM-ROTB	Recommend that CBP continue to pursue information collection to improve their admissibility determination via the proposed revisions to the CBP Form 5106. CBP should continue to consult with COAC to finalize 5106 information requirements and the collection process. This could be helpful to CBP in addressing risks associated with traditional challenges related to AD/CVD, IPR, and other enforcement issues.
13	13025	14	11/15/13	TM-ROTB	Realizing that different brokers have different best practices for different business models, we recommend that CBP develop a program to recognize best practices within the broker industry and provide benefits to these brokers. These best practices may include power of attorney collection and validation. We expect that the specific benefits will be discussed during future COAC meetings.
13	13026	14	11/15/13	TM-ROTB	Given that the proposed changes to the CBP Form 5106 will address many of the concerns surrounding validation of bona fides, we recommend no changes be made at this time to the current regulations regarding the collection of a valid power of attorney. We will revisit this recommendation after the proposed 5106 changes have been reviewed by COAC.
13	13027	14	11/15/13	TES	NEW Recommendation 2013: The COAC recommends that CBP and PGAs partner with the trade community to target PGA requirements training and promote visibility of holds in ACE/ACS. We recognize and encourage the implementation of the One US Government at the Border Single Window approach, coupled with the PGA Message Set will provide greater visibility to the trade community as to the reasons for the holds. We encourage the Partner Government Agencies to become early adopters of PGA Message Set, allowing for early submission of information so the PGA may make earlier risk assessment decisions on admissibility of cargo.
13	13028	14	11/15/13	TES	NEW Recommendation 2013: The COAC recommends working with CBP to define delays and holds and ensure a process exists for those types that require data capture. In addition, once delays and holds are defined in accordance with 2013 operations, COAC recommends that CBP develop national import/export port metrics as a method a) to understand the complexities associated with goods release by mode of transport and region and b) to achieve standardization of best operating practices across ports. Further, we recommend sharing the results with the Centers of Excellence and Expertise via the Industry Working Groups to achieve industry-specific best practices.
13	13029	14	11/15/13	TES	NEW Recommendation 2013: The COAC recommends that CBP share the survey information with the Partner Government Agencies (PGAs) to achieve a better understanding by the PGAs of the impact of cargo holds, detention and dwell times on the international supply chain.
13	13030	14	11/15/13	TES	NEW Recommendation 2013: The COAC recommends that CBP share the results of the AD/CVD questions with relevant government entities when discussing issues related to the retrospective system of AD/CVD enforcement and collection. The 12th COAC made a formal recommendation based on several reasons that the AD/CVD system be changed to a prospective system similar to those utilized by all global trading partners. The feedback in this survey indicates that the larger trade community strongly supports this earlier

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
					COAC recommendation and would favor a prospective system. As this subject is often a topic of discussion in various forums in which CBP participates, the COAC recommends that CBP communicate this feedback in the appropriate forums.
13	13031	14	02/20/14	EX	The COAC recommends that CBP use Master Principles for a U.S. Government at the Border Cooperation for Exports as well as the Export Mapping in developing their U.S. Export Strategy. We further encourage Customs and Border Protection to lead the U.S. Government socialization of the foundational principles that the COAC believes are required to position the U.S. government to efficiently manage strategic cross border issues in a manner that reduces the cost of doing business.
13	13032	14	02/20/14	EX	The COAC recommends the Customs and Border Protection's Export Strategy is shared with COAC for comment prior to finalization.
13	13033	14	02/20/14	TT	COAC recommends that CBP allow us to have an opportunity to review the results of all Trusted Trader pilots and provide input to the program in its totality before we (as COAC) decide whether to endorse the program.
13	13034	14	02/20/14	TERC-IPR	The COAC's IPR Working Group, after extensive exploration, discussion and outreach to the trade, determined that the Distribution Chain Management Initiative could prove costly and burdensome to the trade, especially to legitimate brand owners and importers of branded merchandise until industry more widely adopts protocols that allow for the transmission of alphanumeric identifiers or DCM data. As a result, the COAC recommends that CBP table the Distribution Chain Management initiative until such a time as the trade advises that industry-wide supply chain practices make the concept more viable.
13	13035	14	02/20/14	TERC-RAWG	<p>Consistency in Focused Assessments - The COAC is concerned about consistency in Focused Assessments under CBP's new "flexible" approach.</p> <p>The COAC recommends that CBP ensure the new flexible approach maintains an acceptable range of variation through appropriate training and oversight.</p> <p>The COAC further recommends that CBP implement a process through which importers can seek recourse at any time during the audit process if they believe the variation in approach on their Focused Assessment is not acceptable.</p>
13	13036	14	02/20/14	TERC-RAWG	<p>Entry Selection and Sample Sizes</p> <ol style="list-style-type: none"> a. The trade is concerned about the increase in sample sizes proposed in the Focused Assessment changes. Since sampling sizes are a key trade concern and since the changes will result in some fairly significant increases to sample sizes, the COAC recommends that CBP share the details of these changes with the trade as quickly as possible, giving the trade sufficient notice to prepare for the change and adjust their own internal compliance and audit processes well in advance of CBP's implementation of those changes. b. The trade is concerned that increasing sample sizes may extend the current time periods for Focused Assessments and resulting burden on companies being audited. COAC recommends that the CBP Regulatory Audit team complete both the PAS and the ACT phases of the FA within 6 months.
13	13037	14	02/20/14	TERC-RAWG	Audit Plans - The COAC recommends that audit plan changes be subject to supervisory review.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13038	14	02/20/14	TERC-RAWG	Timing for Responses to CBP Requests for Information / Documentation - The COAC recommends that CBP give the importer 30 days to put together written documentation and written responses after initial request with an opportunity for an additional 30 day extension upon request; in some special cases, CBP may grant additional extensions as circumstances permit.
13	13039	14	02/20/14	TERC-RAWG	Focused Assessment Informed Compliance Documents - The COAC recommends that CBP collaboratively develop Informed Compliance Documents with the trade to provide clearly written guidance on the following topics: <ol style="list-style-type: none"> a. Specific guidance as to what CBP will accept from an importer to support its related party pricing methodology b. Clearly define statistical sampling in lay terms c. Sometimes considerable time is spent during Focused Assessments on one off cases; create a document that better defines how CBP may assess these “unusual” transactions and how CBP determines when there is a significant degree of exposure of loss/harm to the government that warrants inclusion d. Clearly outline CBP’s expectations that will lead to a successful result from a Focused Assessment
13	13040	14	02/20/14	TERC-RAWG	Auditor Training – The COAC recommends that CBP provides special emphasis to the areas listed below during its auditor training: <ol style="list-style-type: none"> a. GL best practices – case study training for general ledger reviews during audits b. Collaborative training with the trade to give auditors a better understanding of importer accounting practices c. Emphasize that lack of written procedures, written compliance manuals and written internal controls is not necessarily an indicator of noncompliance d. Because assessment of fraud risk language has been added to the Focused Assessment PAS document, emphasize that identifying fraud is not the sole goal of audit
13	13041	14	02/20/14	TERC-RAWG	Bi-directional Education - The COAC recommends CBP implement an initiative for bi-directional compliance and Focused Assessment education to improve trade compliance and CBP’s audit strategy by industry. The COAC recommends that the education occur through webinars, seminars, CBP Regulatory Audit participation in trade association events and industry - specific Center of Excellence training for CBP auditors and the trade.
13	13042	14	02/20/14	TERC-RAWG	Assess Progress - The COAC recommends that once this new process is implemented, the trade and CBP regularly meet to review results, discuss best practices that may be shared more widely with the trade, review areas for improvement and discuss challenges & concerns to ensure we continue to make progress together.
13	13043	14	02/20/14	GSC	In cases where a master air waybill link is not provided in the original ACAS transmission, the transmitting party should not be required to identify secondary notify parties. The express and freight forwarder dual-filing models that have been proposed by the ACAS Work Group provide better security and operational solutions for cases where the master bill link has not been made by the original transmitter. However, it is recommended that ACAS provide an optional, voluntary secondary notify party functionality for all ACAS transmitters, primarily for the potential of such functionality to significantly enhance NTC – transmitter communication flexibility.
13	13044	14	02/20/14	GSC	Because it is expected that regulations and security programs will clearly delineate and define all filing and response requirements for all ACAS participants, it is not envisioned that the inclusion of voluntary trusted trader elements would enhance the ACAS regime. At the same time, the inclusion of trusted trader requirements poses a considerable risk of operational disruption and market distortion. It is therefore recommended that C-TPAT and/or AEO requirements not be made part of any filing models under the ACAS regulations.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13045	14	02/20/14	GSC	From the commercial/operational point of view, freight forwarder participation in ACAS as original data transmitters is critical to ensure that the ACAS playing field is level for both express carrier and conventional carrier business models. From the security point of view, per the Freight Forwarder – Conventional Carrier dual filing model proposed by the ACAS Work Group, final regulatory responsibility for ACAS filings and responses remains with the conventional carrier transporting a shipment. This allows some flexibility in the requirements applicable to voluntary freight forwarder participants as opposed to mandatory carrier participants. The regulatory regime governing the freight forwarder ACAS transmitter, therefore, should be carefully calibrated to meet ACAS security goals in a manner that does not discourage freight forwarder participation. In particular, it is not recommended that a 24/7/365 mandatory response requirement, which would be difficult for small and medium size entities to meet, be imposed on forwarder participants.
13	13046	14	02/20/14	TM-ACE	COAC recommends that CBP release the technical application documentation, including the final PG message set, at least 18 months prior to the mandatory filing dates for manifest, cargo release, and full ACE functionality.
13	13047	14	05/22/14	TERC-IPR	The COAC recommends that CBP collaborate with its express consignment stakeholders to develop a simplified and mutually beneficial IPR enforcement process in the express consignment environment through which CBP would offer the importer and the U.S. consignee an abandonment option on detention notices for shipments detained by CBP on suspicion of trademark or copyright violations.
13	13048	14	05/22/14	TERC-IPR	The COAC recommends that CBP work with its express consignment stakeholders to finalize the details of the process and leverage the express carriers' existing resources to enhance the facilitation of legitimate shipments, enabling CBP to reallocate resources to refine and focus IPR targeting and enforcement efforts, preventing violative goods from entering the U.S. marketplace and encouraging the efficient flow of legitimate shipments.
13	13049	14	05/22/14	TERC-IPR	The COAC recommends that CBP pilot the use of the Document Imaging System (DIS) in ACE within the next 12 months as a means for importers and customs brokers to voluntarily provide information to assist CBP in assessing a shipment's IPR risk. At entry, filers would transmit documents (not otherwise required at entry) and/or digital images supporting the authenticity of the shipment. During IPR targeting, CBP would consider this information in determining whether to hold the shipment for examination or release it. The pilot would test a method for furnishing advanced information about a shipment's IPR compliance, and might allow CBP and the trade to determine whether DIS could be used to provide facilitation benefits to legitimate importers.
13	13050	14	05/22/14	TERC-IPR	The COAC recommends that CBP collect and share pilot results with the COAC, offering the COAC an opportunity to further review and comment on the initiative.
13	13051	14	05/22/14	TERC-IPR	The COAC recommends that CBP pilot a Voluntary Disclosure program for IPR within the next 12 months that will allow members of the trade to provide CBP with intelligence for targeting purposes by voluntarily disclosing violations of the laws prohibiting importation of goods infringing U.S. registered trademarks or copyrights. The goal of the program should be to enable the trade community to work with CBP to stop infringing items imported contrary to law from being sold or delivered into the commerce of the United States.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13052	14	05/22/14	TERC-IPR	The COAC recommends that CBP open a Working Group to finalize the details of the pilot program using both the July 20, 2010 document that was co-created by CBP and the COAC as well as stakeholder input as a framework for that discussion and allow the COAC to comment on the final program document before implementation of the pilot.
13	13053	14	05/22/14	TERC-IPR	The COAC recommends that CBP collect and share pilot results with the COAC, offering the COAC an opportunity to further review and comment on the initiative.
13	13054	14	05/22/14	TT-C-TPAT	The COAC recommends that CBP release the proposed Exporter Supply Chain Security Criteria and C-TPAT Exporter Eligibility Requirements within the next 60 days.
13	13055	14	05/22/14	TT-C-TPAT	The COAC recommends that the release of the C-TPAT for Export criteria should include a comprehensive list of initial benefits that are measurable and quantifiable.
13	13056	14	05/22/14	TT-C-TPAT	The COAC recommends that after CBP releases the C-TPAT for Export criteria, they should provide a forum for ongoing dialogue with the trade community, such as a C-TPAT Working Group, to gain valuable feedback to quantify the efficacy of the program and to identify additional benefits to attract more participants going forward.
13	13057	14	05/22/14	TM-ROTB	COAC recommends that CBP enable brokers to operate through a single, national permit, eliminating the current district permitting requirement. COAC understands that CBP must modernize its permitting framework for Customs brokers to align broker permitting with the challenges and opportunities of 21 st century electronic entry processing through such programs such as Automated Commercial Environment (ACE), Remote Location Filing (RLF), the Centers of Excellence and Expertise (CEE) and e-Bonds.
13	13058	14	05/22/14	TM-ROTB	COAC recommends that CBP engage the COAC and all stakeholders as soon as possible to review the existing Customs broker management process, related informed compliance publications and broker handbooks to ensure a modern, national broker management process is developed and implemented prior to CBP moving forward with the proposed change in the broker national permitting framework. COAC recognizes that today's current broker management process does not support a new national permitting framework.
13	13059	14	05/22/14	TM-ROTB	COAC recommends that the new national permit framework include requirements that Customs brokerage firms employ an adequate number of licensed brokers to ensure responsible supervision and control over their Customs business and that CBP work with the appropriate stakeholder groups to define these new supervision and control requirements and provide the COAC an opportunity to comment on any new framework before implementation. COAC understands the value the Customs broker license brings to CBP and the importing community.
13	13060	14	05/22/14	TM-ROTB	The COAC recommends that CBP publish the Notice of Proposed Rulemaking regarding changes to CBPF 5106 by the end of 2014 fiscal year in order to solicit comments from stakeholders on the collection of the proposed 5106 data elements. The additional information will support CBP's effort to combat identify theft, antidumping duty evasion and other fraudulent schemes which undermine our global economy.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13061	14	05/22/14	TM-ROTB	The COAC recommends that consideration should be given to limiting additional information requirements from companies in good standing with an existing CBPF 5106 on file with CBP.
13	13062	14	05/22/14	TM-ROTB	The COAC recommends the 5106 information collection process be automated in ACE, with consideration for the role of the party providing the information. The COAC recommends that both importers of record and customs brokers should be able to file and query CBPF5106 data.
13	13063	14	05/22/14	TM-ROTB	The COAC recommends no changes be made at this time to the current regulations regarding the collection of a valid power of attorney in 19 CFR 111.
13	13064	14	05/22/14	TM-ROTB	The COAC recommends that functionality in ACE be built to help prevent corporate identity theft. Proposed functionality should enable the Importer of Record (IOR) to control and limit which customs brokers or filers, by filer code, are authorized to make entry in each port of entry tied to the Importer of Record number. This could serve as an additional tool to combat corporate identity theft, should an IOR choose to utilize this functionality. Additionally this ability would empower the IOR to use ACE to control the specific ports of entry in which entry can be made, and by which custom broker filer codes. An importer could potentially employ functionality that would restrict any entry from being made in their name in a specific port of entry if necessary. The IOR could use this functionality to address changes in their supply chain as they occur, and authorize entry into those ports for a specific customs broker filer code, several specific filers' codes, or all filers.
13	13065	14	05/22/14	GSC-ACAS	First, because close alignment of customs and security authorities is indispensable to the operational success of pre-departure data risk assessment regimes, and in accordance with the executive order to streamline the import/export process for America's businesses, we recommend that it is appropriate at this time to re-focus on the joint work of CBP and TSA in the implementation of ACAS. In particular the full Global Supply Chain Subcommittee should be tasked with the examination of the alignment of CBP and TSA global security concepts and programs, including but not limited to ACAS, in particular with the identification of areas where the programs are not fully aligned, and where one agency's programs can be leveraged to support the other.
13	13066	14	05/22/14	GSC-ACAS	Second, while ACAS was the first pre-departure data regime, it is not the only one – therefore COAC recommends that CBP recognize the need for the inter-operability of such systems in the global supply chain. In particular, we recommend that the Trade Modernization Subcommittee be tasked with the examination of the current state of the harmonization and inter-operability of pre- and post-departure reporting systems worldwide, and in particular tasked with the identification of areas of opportunity and potential solutions, which may include suggestions for an updated and holistic CBP international advocacy/communication plan.
13	13067	15	10/07/14	TES	<p><u>Visibility</u></p> <p>The COAC recommends that CBP and PGAs partner with the trade community to target PGA requirements training and promote visibility of holds in ACE/ACS. We recognize and encourage the implementation of the One US Government at the Border Single Window approach, coupled with the PGA Message Set will provide greater visibility to the trade community as to the reasons</p>

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
					for the holds. We encourage the Partner Government Agencies to become early adopters of PGA Message Set, allowing for early submission of information so the PGA may make earlier risk assessment decisions on admissibility of cargo.
13	13068	15	10/07/14	TES	The COAC recommends that CBP task COAC to define delays and holds and ensure a process exists for those types that require data capture.
13	13069	15	10/07/14	TES	Once delays and holds are defined in accordance with 2013 operations, COAC recommends that CBP develop national import/export port metrics as a method a) to understand the complexities associated with goods release by mode of transport and region and b) to achieve standardization of best operating practices across ports.
13	13070	15	10/07/14	TES	The COAC recommends sharing the results with the Centers of Excellence and Expertise via the Industry Working Groups to achieve industry-specific best practices.
13	13071	15	10/07/14	TES	With strategic efforts such as the implementation of CEE's, streamlining and integration of PGAs via trade processes, and the National Export Initiative and Export Control Reform, it is important for CBP to continue to collaborate with COAC to seek ways to measure and improve trade processes and reduce freight dwell. We recommend CBP provide the trade with web-based metrics regarding export and import delays and holds on a IUSG basis.
13	13072	15	10/07/14	TES	We recommend the continuation of the Center Industry Working Group metric sharing to generate meaningful bi-directional dialogue that will generate successes in meeting the objectives of both CBP and the trade.
13	13073	15	10/07/14	TES	<u>Knowledge Sharing</u> The COAC recommends that CBP share the survey information with the Partner Government Agencies (PGAs) to achieve a better understanding by the PGAs of the impact of cargo holds, detention and dwell times on the international supply chain. Establishing integrated policies serves to remove port variation, regulatory misunderstandings and trade inefficiency, a key contributor to cost.
13	13074	15	10/07/14	TES	The COAC recommends that CBP share the results of the 2013 AD/CVD questions with relevant government entities when discussing issues related to the retrospective system of AD/CVD enforcement and collection. The 12th COAC made a formal recommendation based on several reasons that the AD/CVD system be changed to a prospective system similar to those utilized by all global trading partners. The feedback in this survey indicates that the larger trade community strongly supports this earlier COAC recommendation and would favor a prospective system. As this subject is often a topic of discussion in various forums in which CBP participates, the COAC recommends that CBP communicate this feedback in the appropriate forums.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13075	15	10/07/14	TES	When shipments are stopped or paused at the ports, the results tell us the respondents are favorable to dealing with CBP, as compared to the PGA (in general). COAC recommends that CBP champion a knowledge sharing exercise between PGA's and CBP specifically around holds / freight stops to align best practices and identify process improvements. Accomplishing this review in conjunction with the Centers will ensure positive benefits for the trade. We anticipate that the metrics will reveal the positive impact to the trade in the areas of decreased freight dwell, improved targeting, and increased customer service.
13	13076	15	10/07/14	TES	<u>Integrated Customer Service Model</u> We recommend CBP advocate for an integrated customer service model with the PGA's. Synthesizing the current customer service design of CBP and PGAs will benefit both trade and security. Additionally, using the Centers to aid in the integration of a service model is most beneficial to impact processing times and freight dwell.
13	13077	15	10/07/14	TES	<u>Annual Trade Efficiency Survey</u> We recommend the continuation of an annual COAC survey to assist in prioritization, measure success, obtain satisfaction feedback, and begin establishing trends.
13	13078	15	10/07/14	EX	The success of the air manifest progressive filing model is dependent upon the empowerment of transport intermediaries to protect their operational reliability by submitting their own data into the export system. Similar to the ACAS pilot, it is therefore critical that freight forwarders be included in the air export manifest pilot. We recommend that the air automated export manifest pilot specifically include freight forwarders as participants to transmit house air waybill level data to the export manifest system on behalf of the air carrier.
13	13079	15	10/07/14	1USG	COAC voted to adopt the import mapping education packages as submitted. The COAC further suggests that CBP continue their dialogue with the Partner Government Agencies, and the Border Interagency Executive Council (BIEC) on the opportunities for improvement and continue to work with the trade on solutions.
13	13080	15	10/07/14	1USG	Consistent with the 1USG single window concept, CBP and FDA should accept and review advance data submissions as early as possible in the transit cycle to allow for preclearance prior to arrival. Earlier, consolidated entry submissions would provide the agencies (CBP, FDA, and other PGAs) with greater upstream visibility to assess security and admissibility risks, engage the trade to resolve risks, and provide for earlier admissibility decisions, ideally well before the physical arrival of the goods at the port. CBP should share arrival information with FDA and the other PGAs as soon as possible, upon receipt, rather than holding it for a specified time based on MOT.
13	13081	15	10/07/14	1USG	Working with FDA, CBP should develop a mechanism in ACE for importers/filers to amend specific FDA data elements, including port codes, without having to cancel and replace the entire entry.
13	13082	15	10/07/14	1USG	Foreign site identification numbers (e.g. MID, DUNS, IOR, FEI, FFR, etc.) used by CBP, FDA and other agencies in ACE should be reduced to a single identifier, creating a uniform standard in ACE/ITDS. The creation and maintenance of FEIs require B28res FDA

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
					resources that could be better deployed to other higher risk targeting activities. Similarly, when an importer does provide multiple identification numbers for a foreign facility (e.g., FFR and DUNS) and these numbers are aligned, the targeting should be lower.
13	13083	15	10/07/14	1USG	FDA transactional messaging built into ACE should be specific and timely, in real-time, notifying the filer what's missing, incorrect, or has been changed by FDA, and a full audit trail should be maintained for any changes that have been made to an entry.
13	13084	15	10/07/14	1USG	CBP should work with FDA to define optional Intended Use Codes in the PGA Message Set allowing the trade to indicate reasons for disclaiming FDA on certain imported goods where the HTS code may trigger but the goods aren't subject, thereby avoiding the need for manual review.
13	13085	15	10/07/14	1USG	CBP should include an FDA Workshop as a regular breakout session at the annual Trade Symposium, where importers/filers have an open forum to discuss issues and ask questions. The relevant CEEs should also partner with FDA to host periodic outreach and training events for importers and filers, with targeted training at ports with higher rates of non-AMPs.
13	13086	15	10/07/14	1USG	CBP and FDA should provide guidance to the trade regarding the compliant use of Section 321 entries for FDA-regulated goods.
13	13087	15	10/07/14	1USG	CBP should collaborate with FDA to implement a standardized filer evaluation process, based on nationally published standards and documented written guidance to the brokerage industry on how the evaluations will be conducted. Entry data sent by CBP to FDA should include the filer's processing port, so FDA knows where to target the related filer evaluation when Remote Location Filing is being used. FDA messaging to filers via ACE is critical to improving data quality and is a key component in a standardized filer evaluation.
13	13088	15	10/07/14	1USG	CBP and FDA should consider consolidating and integrating FDA field/port operations into corresponding CBP Centers of Excellence and Expertise (CEEs), to provide better uniformity and resource utilization.
13	13089	15	10/07/14	1USG	CBP, via the BIEC, should encourage FDA and other PGAs to continue to consult with the trade via COAC and its subcommittees and working groups, in alignment with the 1USG single window concept. In addition, FDA should use periodic trade surveys to identify current areas of opportunity, allowing the agency to better focus on areas that need further analysis or attention.
13	13090	15	10/07/14	1USG	To ensure full agency buy-in, any actions taken to fulfill these recommendations should be pushed down from the Commissioner level to the operational level at both CBP and FDA.
13	13091	15	10/07/14	TT	The COAC recommends that CBP complete the selection process for the Trusted Trader Pilot and report on a regular basis the ongoing experience of the participants.
13	13092	15	10/07/14	TT	With the release of C-TPAT Exporter Entity, the COAC recommends setting out a list of meaningful initial and long term benefits while soliciting from the Trade additional advantages associated with the initiative.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13093	15	02/11/15	EX	COAC recommends that CBP engage with Border Interagency Executive Council (BIEC) in order to deliberate on the development of an interagency information tool comparable to the informed compliance program to help develop the competency of those in the trade with export equities.
13	13094	15	02/11/15	EX	COAC recommends that CBP engage with the Bureau of Industry and Security (BIS) upon their initiation of the project to review European Union practice of cross-referencing their control list and 6-digit harmonized tariff number and provides an update to the BIEC PECSEA/COAC on findings and the review process. COAC further recommends that CBP aligns the initiative within the BIEC, and advocate with BIS to engage the Directorate of Defense Trade Controls (DDTC) as a stakeholder in the review process.
13	13095	15	02/11/15	EX	COAC recommends that CBP Headquarters lead a port standardization effort targeted on licensed exports. The effort shall incorporate input from all stakeholders including the trade, AES automation, CBP Ports, DDTC, BIS, and other relevant permitting and licensing agencies. The undertaking should leverage the BIEC as a steering committee and to resolve cross-agency policy matters. The outcome shall be updated policies and guidance on licensed shipments and a status briefing to COAC.
13	13096	15	02/11/15	EX	COAC recommends that CBP automate the presentation of all licenses and permits via the Single Window into AES/ACE, to accommodate inbound and outbound as appropriate. Capabilities should exist to link an import to an export or an export to an import, and the design should ensure flexibility of entity relationship and trade reporting. Evaluation of a short term solution to utilize CBP's Document Imaging System should be considered if license automation implementation is extended beyond 1 year. Additionally, given the availability of licensing data via the Single Window, and given the PECSEA recommendation regarding incorporation of licensing points of contact, COAC recommends CBP engage the Trade Support Network for a licensing point of contact design with the goal of resolving holds expeditiously.
13	N/A*	15	02/11/15	EX	COAC suggests CBP encourage BIS to complete the final rule regarding International Import Certificates or Delivery Verifications, (proposed rule 79 FR 19552) in order to realize process efficiencies for both CBP and the Trade. With the concept of promoting global standardization of import certificates, we recommend that CBP share this information with other governments. Additionally, we recommend CBP engage BIS and the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) to automate remaining forms.
13	13097	15	02/11/15	EX	The COAC recommends that CBP brief the BIEC on the new manifest, export automation tools, targeting capabilities, and C-TPAT Exporter Entity in order to prompt a dialogue designed to prevent listing freight forwarders as intermediary consignees on the license at time of license submission. CBP shall engage the trade in the education and dialogue to in order to design a solution that meets all stakeholders' key concerns. The resulting new process shall consider Government concerns, industry forwarding practices, leverage the future automation design, and consider benefits of government to government interfaces.
13	13098	15	02/11/15	EX	COAC recommends that CBP compare C-TPAT and C-TPAT Export Entity Criteria with the Department of Defense National Industrial Security Program Operating Manual (NISPOM) and International Traffic and Arms Regulations (ITAR), and reduce redundant reporting and redundant reviews for companies participating in good standing. Additional comparisons should be made to Federal Acquisition Regulations, Defense Acquisition Regulations System (FAR and DFARS) with the same goal.
13	13099	15	02/11/15	EX	COAC recommends that CBP communicate policy changes to the Trade via the Cargo System Messaging Service (CSMS) as well as via other government agency outreach, e.g. Hand Carried DSP-73 Material – Endorsement Permitted at the 1 st Port of Departure.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13100	15	02/11/15	EX	COAC recommends that CBP engage the BIEC in a discussion to consider aligning the U.S. inbound, outbound, and license valuation regulations in accordance with the World Trade Organization Customs Valuation Agreement.
13	13101	15	02/11/15	EX	COAC recommends that CBP and the BIEC discuss a process enhancement for the Export Enforcement Coordination Center (E2C2) to prepare a monthly “categorization of risk” export report that considers inputs from all agencies related to export and can be used by CBP as a input into targeting adjustments. The report should quantify the risk, including notation of items removed from the risk register.
13	13102	15	02/11/15	EX	COAC recommends that CBP initiate cross-agency operations review meetings on a monthly basis to discuss agency referral turnaround times (requires creation of cycle time and volume metrics) and to receive feedback on effectiveness of field operations.
13	13103	15	02/11/15	EX	COAC recommends that CBP staff the Exodus Command Center to allow for trade inquiries to facilitate compliant exports, in addition to the already scoped work for CBP field operations referrals. CBP should consider directly staffing the Exodus Command Center with Licensing and Permitting Agencies on a regular basis, provided the resources have a delegation of authority to act on outbound questions without referral via E2C2, in order to benefit the Trade and reduce freight stops.
13	13104	15	02/11/15	EX	COAC recommends that CBP collaborate with the Census Bureau and provide details on the new AES design allowing separate filers for commodity data and transportation/manifest data with the intent of ensuring report data availability to the Trade commodity filer. Additionally, CBP should collaborate with Census to deliver additional solutions that would replace the “routed transaction” language with language and processes that resonate with already provided business process and business data. Regulatory changes may be required to reduce the burden to trade while still meeting agency concerns.
13	13105	15	02/11/15	EX	COAC recommends that CBP engage the Trade to provide inputs into CBP’s Licensing Operating Manual. Prioritized areas of review should be focused on the areas of opportunity.
13	13106	15	02/11/15	EX	COAC recommends that CBP automate export data by the creation of the USPPI accounts in ACE and allowing data visibility in ACE for a 5 year time period.
13	13107	15	02/11/15	EX	COAC recommends that CBP engage the BIEC in a dialogue regarding non-technical errors with the request to align agency approaches to penalty assessment. The Trade shall develop a list of examples of non-technical errors to facilitate dialogue.
13	13108	15	02/11/15	EX	COAC recommends that CBP create a new work group to address the post export filing process. This same work group shall address the trade inputs required to address area of opportunity #25 (correction for non-technical errors without penalty).
13	13109	15	02/11/15	EX	COAC recommends that CBP reviews the possibility of automating the filing and release of hand-carried licensed hardware by leveraging a CBP Mobile Group application that may be designed for traveler declarations of hand guns.
13	13110	15	02/11/15	EX	COAC recommends that CBP review their export staffing model with COAC in order to collaborate on excellence, challenges, opportunities, and solutions.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13111	15	02/11/15	1USG	The COAC recommends that CBP ensure an acknowledgement of receipt (e.g. "PGA" Data Accepted), followed by defined status messages (e.g. "PGA" May Proceed or Hold Intact) are received from the PGA via CBP when either data (PGA Message Set) or an electronic document (Document Imaging System) is presented to the PGA as part of the cargo release process.
13	13112	15	02/11/15	1USG	The COAC recommends that CBP ensure the PGA message sets returned to the trade community identify the PGA involved at the line level or the entry level, by utilizing a valid Agency Program Code in each message. The term "PGA" in the message set is the place holder for the valid Agency Program Code.
13	13113	15	02/11/15	1USG	The COAC recommends that the CBP ACE messages (generated by CBP or a PGA) be designed so all parties (CBP, PGA and the trade) can distinguish between a true "automated (paperless)" message versus a message issued as the result of some manual review. All parties will be able to assess the percentage of "automated" messages to monitor or track trade facilitation efforts.
13	13114	15	02/11/15	1USG	The COAC recommends to CBP the PGA response messages should have a standard definition, and be uniformly applied by each PGA. A best practice would be to map the normal (automated) process flow for each PGA and identify the messages that individual PGA's will utilize, identifying whether messages will be issued at the entry or the line level. In addition, a DRAFT Message Dictionary is under construction.
13	13115	15	02/11/15	1USG	The COAC recognizes that not all PGAs will require a message set. Some PGAs will utilize the CBP ACE system for their data needs instead of having a standard PGA message set. The COAC recommends to CBP whenever possible, that when a PGA (without their own message set) requests CBP issue a <i>review, documents required or hold message</i> that the trade is informed of which PGA is involved, so the trade may appropriately respond to the correct party to resolve a <i>review, documents required or hold message</i> .
13	13116	15	02/11/15	1USG	The COAC recommends to CBP that ACE should facilitate carrier visibility to PGA status messages to allow for greater transparency. This work group anticipates that CBP will engage in further dialogue with numerous trade partners representing each transportation mode to facilitate this work.
13	13117	15	02/11/15	TERC	The COAC formed a Voluntary Disclosure work group to review the recommendations made at the May 2014 COAC public meeting. The work group has determined that because of the potential litigation risk contained in the Voluntary Disclosure July 20, 2010 document for both CBP and the trade, and the lack of benefits to the trade contained in the document, a pilot of this program is not viable. The COAC recommends that a pilot of this Voluntary Disclosure program for IPR should not be initiated by CBP.
13	13118	15	02/11/15	TERC	COAC recommends CBP utilize CSMS messaging to more actively push out AD/CVD information in the following circumstances: (1) when a petition is initially filed with the Department of Commerce and at the time of initiation (2) for every scope review determination by the Department of Commerce, with efforts made in conjunction with the DOC to summarize the scope ruling in the most readable/understandable way possible. CSMS messages should also contain links to the DOC case in question and contact information at CBP and DOC for questions. The target date for development of this process is within 90 days, recognizing that individual cases can involve language that is very technically complicated and the ability to summarize in a more simplified way may vary and take more time.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13119	15	02/11/15	TERC	<p>COAC recommends CBP work with specific industry sectors to develop additional industry outreach related to AD/CVD issues with particular emphasis on reaching further down the supply chain beyond the traditional importer and domestic industry community. This outreach should include additional coordination with other agencies such as the Department of Commerce, the Department of Justice and ICE/HSI, as well as harnessing and building upon the expertise at the Centers of Excellence and Expertise.</p> <p>The target date to develop and outline a strategy for this is within 90 days with a 12 month target to begin to implement new strategies.</p>
13	13120	15	02/11/15	TERC	<p>COAC recommends CBP undertake a dedicated communications initiative to further develop and improve information systems currently communicating AD/CVD information to stakeholders. Specific areas of focus should include (1) more prominent highlighting of AD/CVD information on the current cbp.gov website (2) communicating additional case-specific information such as “fraud alerts” and other appropriate “concerns for the trade” (3) better coordination of AD/CVD web portals/web content currently managed by other agencies and (4) continued development of FAQ’s working in conjunction with the trade and other agencies. We recommend ongoing coordination with the trade as much as possible with all of these communication efforts.</p> <p>We recognize the ongoing work currently taking place in these areas and recommend a target date of 12 months to develop a more fully dedicated communications structure.</p>
13	13121	15	02/11/15	TERC	<p>COAC recommends consideration in the longer term of the idea of a single, multi-agency managed website dedicated to AD/CVD. AD/CVD has a unique and particularly complicated set of laws, regulations and policies with multiple agencies involved in management of the AD/CVD process. The existence of one single website or other communications portal dedicated as an umbrella for AD/CVD information could provide significant long term value for all stakeholders.</p>
13	13122	15	02/11/15	TM	<p>COAC recommends that CBP create metrics, collect data, and review with COAC and other stakeholders by the end of the fiscal year 2015. Metrics should be reviewed with COAC and other stakeholders on a quarterly basis to determine if CEE objectives are being satisfied.</p>
13	13123	15	02/11/15	TM	<p>CBP continue to work with a broad section of the trade to explore a Simplified Entry Summary and Payment process that is beneficial to the trade and CBP.</p>
13	13124	15	02/11/15	TM	<p>Participation in a Simplified Entry Summary and Payment program should be optional and that customs brokers and IOR’s should be able to file CF7501’s in the current, legacy process.</p>
13	13125	15	02/11/15	TM	<p>The development of a Simplified Entry Summary and Payment program should be postponed if it will negatively impact ACE core cargo processing deployment.</p>
13	13126	15	02/11/15	TM	<p>The following should be evaluated before proceeding with design and implantation of a Simplified Entry Summary and Payment program:</p> <ol style="list-style-type: none"> a. Level of resources that would be required by importers and brokers to participate in the process. b. Additional layers of services that would be needed by Customs Brokers c. Level of benefit a Simplified Entry Summary and Payment program would provide to CBP and the Trade as compared to the cost.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13127	15	02/11/15	GSC	COAC recommends continued development and implementation of Single windows in each of our countries through which importers can submit all government-required information (filing data 1 time for multiple uses).
13	13128	15	02/11/15	GSC	COAC recommends the implementation of U.S. / Canada recommendations of the Integrated Cargo Security Strategy pending CBP/CBSA evaluation.
13	13129	15	02/11/15	GSC	COAC recommends that CBP support the completion of a Land, Rail, Maritime, and Air Preclearance agreement with Canada for all modes and develop an implementation plan for execution.
13	13130	15	02/11/15	GSC	COAC recommends streamlined processing of temporary workers who support cross border operations or customers.
13	13131	15	02/11/15	GSC	COAC recommends continued diligence on the harmonization of trusted trader programs.
13	13132	15	02/11/15	GSC	COAC recommends implementation of the truck in transit pilot and program.
13	13133	15	02/11/15	GSC	COAC recommends that DHS/CBP work with Canada to complete the updated implementation strategy with timelines and timely reporting against those goals to internal and external parties including the COAC.
13	13134	15	02/11/15	GSC	COAC recommends that CBP institutionalize the sharing of best practices from Beyond the Border initiatives and pilots to facilitate trade and, where beneficial, implement at applicable US ports.
13	13135	15	02/11/15	GSC	The COAC recommends that the USA - Canada border fee study be summarized to include study goals and conclusions. The COAC supports an additional study to analyze the overall cost of crossing the border.
13	13136	15	02/11/15	GSC	The COAC recommends that DHS/CBP work with Mexico to create a plan to mitigate border congestion and address port hour limitations.
13	13137	15	02/11/15	GSC	The COAC recommends that DHS/CBP work with Mexico under the umbrella of the Joint Declaration on the 21st Century Border to create and disseminate a mutually-agreed-upon plan of infrastructure improvements.
13	13138	15	02/11/15	GSC	The COAC recommends that DHS/CBP continue to work with Mexico to create a formal communication plan between Mexico and the USA to understand, discuss, and address ongoing issues and emergencies (example: unplanned and planned down time).
13	13139	15	02/11/15	GSC	The COAC recommends that DHS/CBP work with Mexico to leverage Mexico's existing process for single window filing in both countries through which importers can submit all government-required information. The Trade should be able to file data one time for multiple uses.
13	13140	15	02/11/15	GSC	The COAC recommends that DHS/CBP work with Mexico to create a structured implementation strategy for actions proposed in the 21 st Century Border Action Plan with timelines and timely reporting against those goals to internal and external parties including the COAC.

FY2013 - FY2015 COAC RECOMMENDATIONS

Term #	Recommendation #	FY	Public Meeting Date	Sub-committee	COAC Recommendation
13	13141	15	02/11/15	GSC	COAC recommends that CBP institutionalize the sharing of best practices from initiatives and pilots to facilitate trade and, where beneficial, implement at applicable US ports.
13	13142	15	02/11/15	GSC	COAC recommends that CBP determine and take steps to ensure consistent implementation of existing wait time data collection methodologies across all commercial ports of entry by the end of fiscal year 2015. This data shall be shared with COAC and the Trade.
13	13143	15	02/11/15	GSC	COAC recommends that CBP assess the feasibility of replacing current methodologies with automation by the end of fiscal year 2015. Options shall be discussed with the COAC.
13	13144	15	02/11/15	GSC	COAC recommends that CBP document its staff allocation process and rationale and share appropriate details with COAC.
13	13145	15	02/11/15	GSC	COAC recommends that CBP develop outcome-oriented performance measures with respect to wait time improvements.
13	13146	15	02/11/15	GSC	COAC recommends CBP develop FAST vs. Non-FAST lane metrics for CBP, Carriers and Importers to query through ACE. Metrics shall include FAST lane usage by Importer, Carrier and Port. The intent is to better substantiate FAST lane advantages and enable best use of FAST lane capabilities by all stakeholders.
* Please note: Recommendations marked as 'N/A' are considered statements for the record. CBP and COAC did not believe these recommendations were actionable.					

FY2013 - FY2015 COAC RECOMMENDATIONS

Subcommittees	13 th Term (2013 – 2015)								Recommendation Total by Term
	03/06/13	05/22/13	08/07/13	11/15/13	02/20/14	05/22/14	10/07/14	02/11/15	
Trade Modernization-Role of the Broker (TM-ROTB)			2	4		8			
Trade Modernization-Automated Commercial Environment (TM-ACE)		1	1		1				
Trade Modernization-Centers of Excellence and Expertise (TM-CEE)								1	
Trade Modernization								4	
Global Supply Chain Land (GSC-Land)		1							
Global Supply Chain Air (GSC-Air)			3			2			
Global Supply Chain (GSC)				3	3			20	
Trusted Trader (TT)		1 statement			1	3	2		
Trade Enforcement & Revenue Collection-Intellectual Property Rights (TERC-IPR)					1	7		1	
Trade Enforcement & Revenue Collection-Regulatory Audit Working Group (TERC-RAWG)					8				
Trade Enforcement & Revenue Collection-AD/CVD Working Group (TERC-AD/CVD)								4	
Export (EX)			4		2		1	18 1 statement	
Export-Export Process Mapping Working Group (EX-EMWG)									
One U.S. Government (IUSG)				7					
One U.S. Government-Food & Drug Administration Working Group (IUSG-FDAWG)							11		
One U.S. Government-Process & Messaging Working Group (IUSG-PMWG)								6	
One U.S. Government-Import Mapping Working Group (IUSG-IMWG)							1		
Trade Efficiency Survey (TES)				4			11		
	N/R	2	10	18	16	20	26	54	13th Term = 146

Note: Based on Information reported to GSA-FACA Database for FY2013 - FY2015 Reporting Cycles