

1 US GOVERNMENT AT THE BORDER
PROCESS & MESSAGING WORKING GROUP REPORT
February 2015

**Recommendations on
MESSAGE FLOWS FOR ACE CBP PGA TRADE INTERFACE**

Statement of Work

“Purpose of the COAC 1 USG Process and Messaging Working Group (1USG PMWG) is to facilitate a dialogue between key partner government agencies (PGA), CBP and the broader trade community on the flow of information from the PGA to CBP to the trade, assuring the messages are clear, concise, and if need be, actionable by all parties involved in the information exchange.”

The COAC recognizes the need to have well defined and understood messages from CBP and/or the PGA’s for the various trade members (Carriers, Customs Brokers, Importers and other parties) in the Automated Commercial Environment (ACE).

1. 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.
2. 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.
3. 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 or intervention. All parties will be able to assess the percentage of “automated” messages to monitor or track trade facilitation efforts.
4. 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.
5. 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 *review, documents required or hold message* that the trade is informed of which PGA is involved, so the trade may appropriately respond to the correct party to resolve a *review, documents required or hold message*.
6. 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.

COAC ONE US GOVERNMENT AT THE BORDER
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REPORT
ON
MESSAGE FLOWS FOR ACE CBP PGA TRADE INTERFACE

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The 1 USG PMWG recognizes the need to have well defined and understood messages from CBP and/or the PGA’s for the various trade members (Carriers, Customs Brokers, Importers and other parties). This document contains much of the background work examined by the PMWG during their weekly sessions, and it is presented in support of the six recommendations at the One US Government at the Border will put forth at the February 2015 COAC Meeting.

SCOPE:

The CBP or PGA message sets are intended to automate and update the current entry process by providing messaging utilized in the ordinary clearance and release of cargo for entry into the US commerce. The message sets must be utilized within the existing timeframes of the entry process. CBP is governed by 19 CFR 141.113 which allows for the redelivery of merchandise within the conditional release period (30 days) from Customs & Border Protection custody.

The trade community cannot monitor ACE messages indefinitely, therefore PGA messages must be sent timely (preferably prior to CBP “1C” Cargo Release) and received within the conditional release period. The broker/filer must be able to easily recognize when a PGA has not issued a “May Proceed” message or that the goods have been approved to move to a secondary location for further action or inspection. The carrier (including terminal operators) will rely on the CBP “1C” Cargo Release message to govern whether the goods may be delivered from the carrier’s custody, and PGA status messages to the carrier will facilitate greater transparency.

The trade community does recognize that the Partner Government Agencies do have authority over the goods at the time of importation and that authority extends into the domestic arena after the goods leave the port of arrival/entry.

ACE allows for messages to be delivered to the trade from CBP on behalf of a PGA. Individual PGAs will design message sets based on their review process and jurisdiction over the entry. Some PGAs will only utilize certain message sets, depending on their review process and jurisdiction. The message sets include the following high level categories:

- Data Accepted or Data Rejected message
- “May Proceed” (release) message (issued automatically or after a manual review)

- Review message
- Exam message (which may confirm a designated exam location)
- Hold Intact message (which may confirm a designated exam location)
- Detention message
- Refused message
- Redelivery message (issued by CBP)

The trade community requests that individual PGAs provide a listing of the messages they will utilize, along with a process map showing the flow of information between the trade, CBP and the PGA.

RELEASE MESSAGING

CBP: CBP Release Messages are often referred to as a “1C” Cargo Release.

PGA: The traditional PGA release message “**May Proceed**” is a term the trade community is accustomed to. The trade understands a message containing those words means the cargo is free to leave the port of arrival and move into the US commerce. In order to achieve a standard PGA message set, the 1 USG PMWG wishes to further define what “PGA” May Proceed means from each individual agency’s perspective in the DRAFT Data Dictionary.

HOLD MESSAGING

In the ACE Cargo Release environment, Participating Government Agencies (PGAs) will have the capability to set holds at the **Entry Level or Line Level**, depending on their individual message model. CBP has a number of options to issue a HOLD, and several types of holds exist:

- Holds may be automatically set because of CBP or a PGA’s ACE business rules
- Holds may be set when a PGA electronically communicates their hold to CBP
- Holds may be manually set by CBP on behalf of a PGA. (In most cases, the messages will indicate which PGA is interested in the cargo)

MANIFEST LEVEL HOLD: CBP has the ability to set a Manifest Level Hold that affect all the Entries on a Cargo Manifest. Currently only CBP has the authority for a Manifest Hold.

ENTRY LEVEL HOLDS: The entire entry is held by CBP and/or a PGA. An Entry Level Release or “May Proceed” is required for the cargo to be released into the commerce of the USA

LINE LEVEL HOLDS: These holds affect only the commodity at the Line Level of an Entry.

BOTH ENTRY LEVEL AND LINE LEVEL HOLDS WILL HAVE SIMILAR HOLD MESSAGES. IN ORDER TO DISTINGUISH FROM AN ENTRY LEVEL VERSUS A LINE LEVEL HOLD, THE MESSAGE SET RESPONSE MUST CLEARLY IDENTIFY LINE OR ENTRY HOLDS.

PGA’S WITH ADMISSIBILITY/HOLD AUTHORITY: When a PGA message set is submitted with cargo release, the trade community expects PGA status messages on the disposition of the cargo.

NO PGA MESSAGE SET SUBMITTED: We recognize that PGAs may rely on the CBP release data information when no PGA message set is transmitted. When this occurs, no message from the PGA is expected unless the PGA requests CBP issue a hold or review. If a hold or review status message is sent, the trade expects to receive further status messages as to the disposition of the cargo.

PGA MESSAGE SET SUBMITTED: If a PGA message set is submitted, the trade expects status messages from the PGA. The trade should receive an “edits passed” message when the PGA message set is first submitted. Then the trade should receive a “may proceed”, “review” or “hold” message from a PGA who performs an active review of data OR a “may proceed” issued by CBP (at the same time CBP issues the 1C Cargo Release message) on behalf of the PGA when there is no active review performed.

MORE THAN ONE PGA MESSAGE SET SUBMITTED: If more than one PGA has jurisdiction over the imported cargo, and a PGA message set is transmitted, the trade expects status messaging from each PGA receiving a message set.

MESSAGE DIFFERENTIATION

- When a PGA issues a HOLD, then a HOLD UNSET, it may not mean the cargo “May Proceed” until the PGA actually issues a “May Proceed.”
- When CBP issues a “1C” Cargo Release, the carrier (including terminal operator) is relieved of their custodial obligations and can move the cargo.
- “May Proceed” and “1C” Cargo Release messages are different – one is from the PGA and the second is from CBP. Each have unique meanings.
- It is expected that each agency that regulates the cargo will issue a status message “may proceed” (release) message. For CBP it is a 1C Cargo Release to the carrier and the broker/filer and for PGA’s this will be a “may proceed” message.
- When a PGA issues a cargo “May Proceed” message, the trade community assumes the PGA is finished with this shipment and they will no longer monitor status messages. Once the PGA issues “May Proceed” message, subsequent actions by the PGA fall outside of the scope of the message set.

EFFICIENCY OF RELEASE PROCESS

The COAC 1 USG Subcommittee previously recommended that CBP and the PGA’s 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 CBP and the 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.

Each Mode of Transportation (MOT) has a unique ‘advanced arrival reporting window’ for carrier manifesting. Cargo release messaging is generally sent by the broker/filer as early in the process as possible.

- Truck: Truck manifest requirements are 1 hour in advance of cargo arrival or 30 minutes for a Free and Secure Trade (FAST) shipment
- Rail: Rail ACE Manifest data required to be filed 2 hours prior to arrival

- Air (Conventional and Express Carrier): Air ACE Manifest data must be filed either 4 hours prior to actual aircraft arrival (long-haul flights) or at aircraft “wheels-up” if the flight origin is in North America, the Caribbean or South America above the equator.
- Ocean: the inbound carrier is required to transmit Ocean ACE Manifest data 24 hours prior to loading at origin.

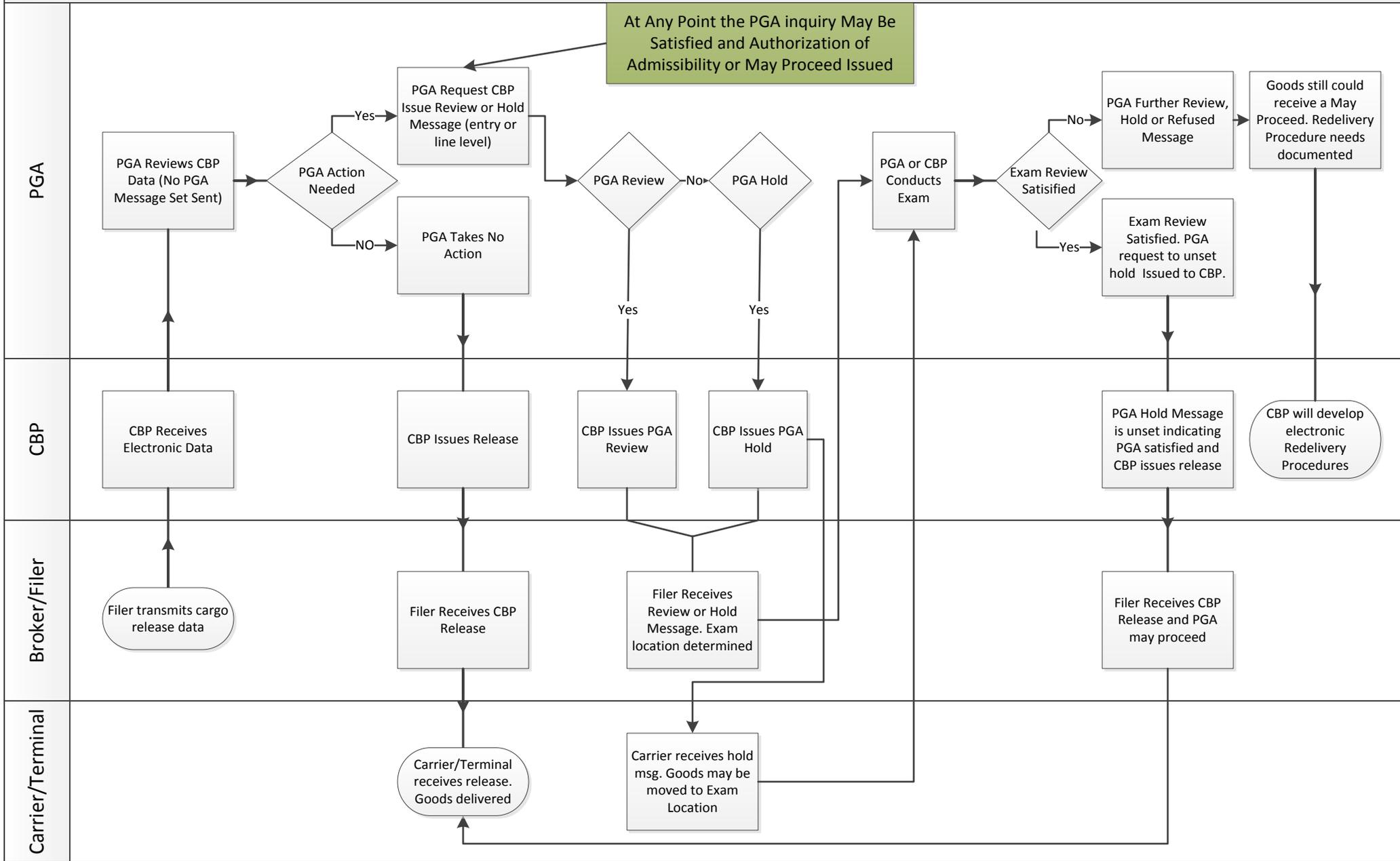
The Trade, CBP and the PGAs must work together to ensure early filing, followed by early review occurs. Timing is very important. Each PGA should make admissibility decisions prior to arrival of the cargo, to ensure they have the opportunity for review or examination. In some cases, the PGA will automatically require an inspection (e.g. FSIS, APHIS) and message sets can be designed to convey these decisions to the trade on arrival. Should the PGA not make a decision prior to cargo arrival, CBP could issue a “1C” Cargo Release message and the cargo could be delivered. All requests for holds or examinations should be made by a PGA to CBP and the trade prior to arrival of the cargo.

CBP is pulling data to determine how many entry releases are filed after the cargo arrives at the port. This will be helpful in establishing metrics and viable risk assessment methodologies based on MOT.

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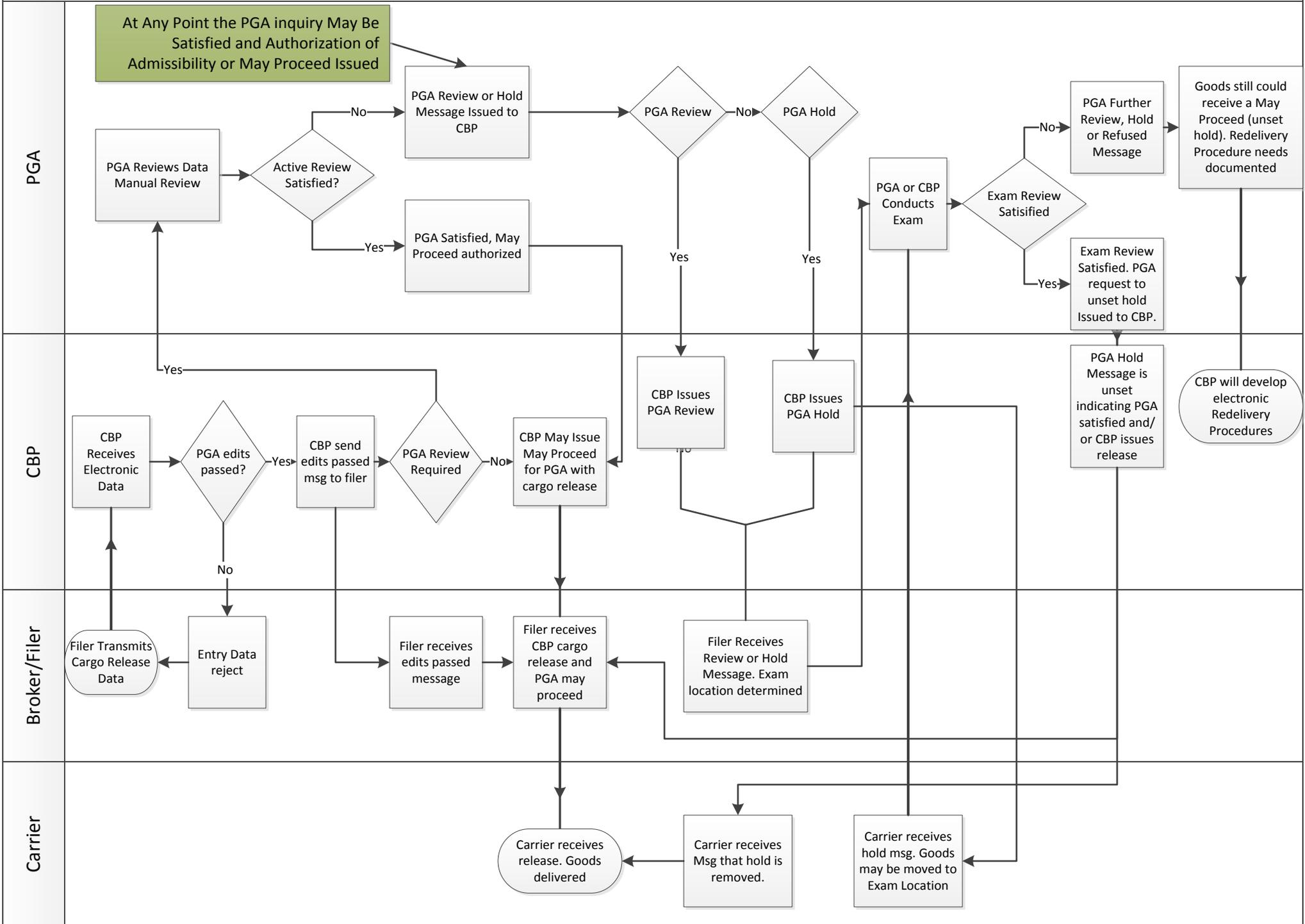
COAC 1USG subcommittee: Process & Messaging Scenario A (no message set)

Phase



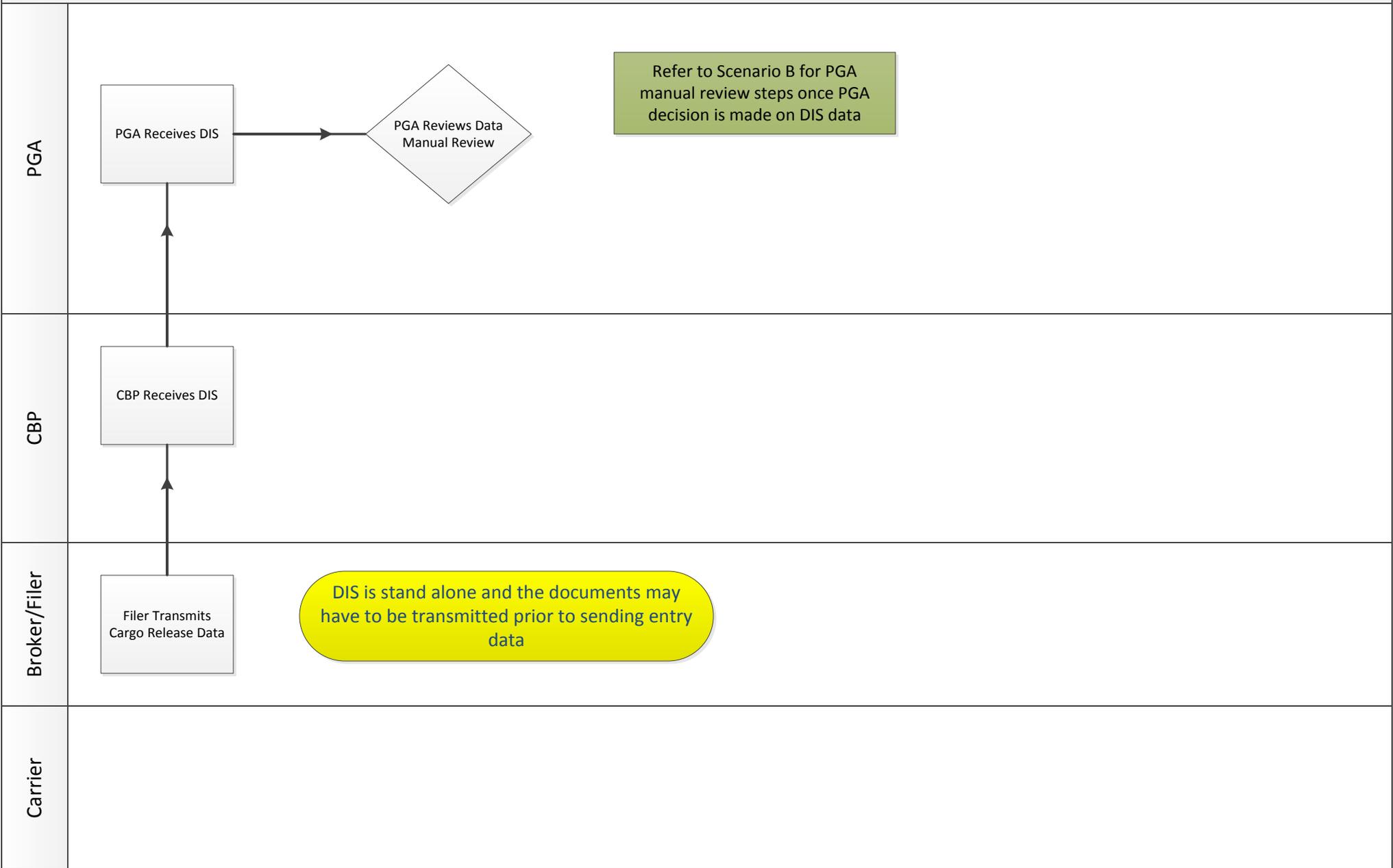
COAC 1USG subcommittee: Process & Messaging Scenario B (message set)

Phase



COAC 1USG subcommittee: Process & Messaging Scenario C (DIS sent/received)

Phase



**ONE US GOVERNMENT AT THE BORDER
PROCESS AND MESSAGING WORKING GROUP**

DRAFT MESSAGE DICTIONARY

The PGA Message Set outlines the various records, whether mandatory, conditional or optional, to be reported to CBP in the Automated Commercial Environment.

MESSAGE STANDARDIZATION

The trade community requires a standardized message set in the ACE environment to ensure the proper handling of the importation. In the ACS environment, the trade community had several standard messages they received. In ACE, more Partner Government Agencies will receive data, and it will be critical to standardize the messages across the PGA's.

The trade community has become accustomed to and understands a message containing the words "**May Proceed.**" The standardized message "PGA" May Proceed is very important to the trade community as the single window One US Government at the Border is implemented. We recognize that each PGA may wish to define what "PGA" May Proceed means from each individual agency's perspective, but for this document we will assume that a "May Proceed" message means the cargo is free to leave the port of arrival and move into the US commerce.

IDENTIFICATION OF THE PGA IN THE STANDARD MESSAGE SET

The use of "PGA" in the DRAFT messages is a placeholder to identify the PGA by the Agency Program Code as transmitted in the PG01 Record. See Appendix PGA for a listing of valid PG01 Agency Program Codes per agency.

<http://www.cbp.gov/document/guidance/appendix-pga>

The Agency Program Codes provide more specificity in the messaging process as several Partner Government Agencies have oversight over numerous programs. As an example, EPA has 8 Program Codes, including Ozone Depleting Substances, Vehicles & Engines, Fuels, Hazardous Waste, Toxic Substances (TSCA) and three codes for Pesticides. Other agencies may have only one code associated with their program.

PGA MESSAGES AT THE LINE LEVEL VS THE ENTRY LEVEL

The PGA's will have the ability to send status messages via the CBP ACE system at either the line level or the entry level. The message sets must be clear, identifying the PGA and whether it is a LINE or ENTRY status message. The proposed message sets should include "LINE" or "ENTRY", indicating that the message can apply to an individual line level response or the message applies to the entire entry, depending on the individual PGA requirements.

DISCLAIMER:

The list below is a series of messages designed to share appropriate CBP and PGA response messaging in a timely and consistent manner with the trade community. These messages should be piloted (tested) thoroughly within the ACE development process to prove their ability and effectiveness.

ACE PGA MESSAGE DEFINITIONS

“PGA” Data Accepted

The PGA Message Set data presented to CBP has passed CBP and/or the PGA data edits.

NOTE: The trade community expects further status messaging from the “PGA” before the cargo can enter the US Commerce. If the PGA has not requested that CBP issue a review or hold message, the trade recommends that CBP be allowed to issue a “PGA” May Proceed when they issue the “1C” Release message – the May Proceed message could be automatically triggered, depending on the individual PGA requirements.

“PGA” Data [Line or Entry] Rejected

The PGA Message Set data presented to CBP has failed CBP and/or the PGA data edits. The reject message should provide details on the failed data edits. CBP will notify the PGA when PGA data edits fail.

The trade community must resubmit the cargo release and PGA message set information.

“PGA” [Line or Entry] May Proceed

The trade community has become accustomed to and understands a message containing the words “May Proceed.” A message containing these words means the cargo is free to leave the port of arrival and move into the US commerce. The standardized message “PGA” May Proceed is very important to the trade community as the single window One US Government at the Border is implemented.

The trade recommends 2 types of “PGA” May Proceed messages: Auto or Manual generated, so trade statistics can be gathered, measuring the PGA Program effectiveness and the trade’s ability to present accurate data, resulting in system generated ‘may proceed’ messages.

CBP has reviewed this request but has not yet confirmed whether an auto or manual “May Proceed” message will be programmed.

“PGA” [Line or Entry] May Proceed (Auto)

The processing of the PGA message set was fully automated, with no human intervention or review. This message could be generated after an automated review of data by a PGA, or generated by CBP on behalf of a PGA who did not pursue a “PGA” Review or Hold message.

- The May Proceed message may be send immediately or
- The May Proceed message follows a “PGA” Data Accepted message and is sent when CBP issues the “1C” Cargo Release message. The goods are then free to enter the commerce of the United States.

“PGA” [Line or Entry] May Proceed (Manual)

The processing of the PGA message set may have been partially automated, however human review or intervention occurred to issue the May Proceed message.

These two messages (Auto and Manual) can be tracked for statistical and performance purposes, and the data will provide valuable information and metrics on the clearance process to both the government and the trade community alike.

“PGA” [Line or Entry] Review

The PGA will perform a review of the transaction. The review may include physical examination of the cargo at the first port of arrival, document review or review of the information presented. A review is not equivalent to a hold. A review indicates the government is examining the data or the cargo and considering whether or not to put all or a portion of the shipment on hold. A further status message should be expected.

“PGA” [Line or Entry] Docs Required

The PGA may issue this message when additional documentation or information is needed.

“PGA” [Line or Entry] Hold (*note this is different from the Hold Intact message below*)

This status message places the cargo on hold by the PGA, and the goods cannot move beyond the first port of arrival. The hold may include physical examination of the cargo at the first port of arrival, or inspection of supporting documents or data presented with the transaction. A further status message should be expected by the trade.

“PGA” [Line or Entry] Hold Intact

The PGA will place a Hold Intact on the shipment. The Hold Intact message allows the goods to move past the port of entry and it holds the importer responsible for delivering the freight to the proper facility. The Hold Intact message could be auto generated, depending on the PGA involved.

The PGA (or CBP on behalf of a PGA) has the option to issue one of several messages prior to or on completion of their review as follows:

- **“PGA” [Line or Entry] Move to Importer Premises**– cargo is held intact pending further disposition by the PGA. This may include physical examination, sampling or testing or other actions by the PGA. The Importer of Record’s entry bond guarantees the cargo is not distributed. *CBP will issue a “1C” providing the carrier with a Cargo Release message, allowing the freight to move to destination. The Importer bond secures the cargo.*
- **“PGA” [Line or Entry] Move to Designated Location** – cargo is held intact and directed to a CFS, CES or other appropriate exam site. While the PGA may be initiating the examination, they may be relying on CBP to assign the designated facility location.

Some PGAs will require a PG30 record as part of the PGA Message Set. This allows the trade community to designate the examination location for the PGA in the initial Cargo Release message sent to CBP.

- **“PGA” [Line or Entry] Move to Designated Inspection Facility** – cargo is held intact and directed to a facility for inspection, noting this is usually a government facility. (E.g. filer message designates the I-house where the FSIS meat inspection will occur).
 - **FSIS** (and perhaps other PGAs) may have CBP automate this status message that will be issued at the Entry Level for their shipments. The PGA Message Set (PG30) filed at cargo release notifies FSIS what facility the goods are destined to, for FSIS examination purposes.

In the case of the 3 PGA ‘Move To’ messages, the cargo is Held Intact and cannot enter the U.S. commerce.

In addition to the entry filer receiving this message, we recommend CBP send the “PGA” Hold message to the carrier, putting the carrier on notice that the cargo is not released by CBP/PGA.

Following the “PGA” Hold or Hold Intact messages, the PGA (or CBP on the PGA’s behalf) may take additional appropriate action and issue further messages as follows:

- **“PGA” [Line or Entry] – May Proceed** - The review is complete and the “PGA” requirements satisfied.

CBP will be working on automation of the Refused/Redelivery process and we anticipate a pilot program will be stood up to test the system. Additional dialog is needed to document how product moves from PGA/Importer custody to CBP custody in the Notice of Redelivery process in the electronic environment. In anticipation of an automated re-delivery process, the following message sets were reviewed

- **“PGA” [Line or Entry] Detained** - This message conveys that the cargo is held or detained by the PGA.
 - This message allows for potential mitigation of the hold by the PGA or the Importer (e.g. fumigation, waiting for lab test results, etc.)
 - The Detained message allows for the FDA Notice of Detention process.
- **“PGA” [Line or Entry] Refused** - This message should require a response from the entry filer indicating what actions will be taken by the trade on the disposition of the cargo.
 - **Destruction:** The trade will work with the PGA and arrange for an acceptable method of cargo destruction. A “Destruction Complete” message may be required to close out the hold on the entry line.
 - **Exported:** The trade will arrange for exportation of the cargo, and will work with the PGA and CBP to confirm the goods are exported. An “Exported Complete” message may be required to close out the hold on the entry line.

PGA Standalone Message Set

CBP plans to make available a ‘standalone’ PGA message set that will allow the trade to submit additional data to the PGA pending their decision of a manual review. This message set may not be available for use by all PGA’s depending on their needs.