

**Commercial Customs Operations Advisory
Committee
Intelligent Enforcement Subcommittee
Executive Summary**

June 2024

COAC

COMMERCIAL CUSTOMS OPERATIONS
ADVISORY COMMITTEE

**Commercial Customs Operations Advisory Committee (COAC)
June 2024**

**Report of the Work of the
COAC Subcommittee on Intelligent Enforcement**

Co-Chairs

Heather Litman – GDLSK

Julie Pojar - Kohler

Matt Zehner – Roanoke Insurance Group

Intelligent Enforcement Subcommittee Members:

Brian Barber, Angela Cook, Dave Corn, John Drake, Tom Gould, Mary Hodges, Kerry Novak, Cynthia Roller, and Travis Skinner.

Background

The following working groups make up the Intelligent Enforcement Subcommittee:

1. The Antidumping and Countervailing Duty AD/CVD Working Group, Chaired by Matt Zehner.
2. The Forced Labor Working Group, Co-chaired by Tom Gould and Kerry Novak.
3. The Intellectual Property Rights (IPR) Process Modernization Working Group, Chaired by Heather Litman.

All subcommittee objectives and scope are consistent with the official charter of COAC.

Summary of Work

The Intelligent Enforcement (IE) Subcommittee is responsible for looking at opportunities to enhance trade and government processes, policies, and programs, with the goal of strengthened compliance by the trade through CBP outreach. The IE Subcommittee currently consists of three active working groups. Each will have substantial tasks over the 17th term.

Antidumping and Countervailing Duty Working Group (AD/CVD WG):

The AD/CVD WG continues building upon the work and recommendations of the 16th Term and earlier COAC AD/CVD WGs. The AD/CVD WG met monthly from March to May and expects to continue to meet monthly.

The AD/CVD WG focuses its efforts on ways to facilitate imports of compliant importers and ways for importers to achieve high compliance. The AD/CVD WG also continues with the ongoing work from the 16th Term COAC WG as it pertains to non-resident importers and the topic of better accuracy with AD/CVD entry filing. Additionally, the WG assesses the implementation status of the prior recommendations from this group, and where fully

implemented, the WG will review the efficacy of the proposal. Where necessary, matters involving Sections 201, 232, and 301 will be discussed by this WG.

The implementation of Project Harvest is showing positive results, and examples of such results will be included in the WG or subcommittee read out at the June COAC public meeting. The WG applauds CBP's efforts to keep the trade informed of new AD/CVD investigations as well as guidance to the trade on the recent expiration of the suspension of AD/CVD on certain solar products from some Asian nations.

The AD/CVD WG does not have any recommendations to submit for the June 2024 public meeting.

Forced Labor Working Group (FLWG):

The FLWG was able to meet twice this quarter as a full working group, and the leadership team met once. The working group had meaningful discussions regarding Isotopic testing requirements to aid CBP in the development of trade outreach materials. The FLWG also had detailed conversations regarding recommendations for this quarter but decided to wait until the September public meeting so that we can further develop the appropriate recommendation(s) language surrounding regulatory requirements and updates.

The FLWG does not have any recommendations to submit for the June 2024 public meeting.

Intellectual Property Rights Process Modernization Working Group (IPRWG):

The IPRWG consists of participants from government and industry, including current members of the COAC, rights holders, importers, and additional subject matter experts most concerned with IPR enforcement.

In the 17th Term, the IPRWG has continued its work to ensure that past recommendations are fully implemented and to develop new recommendations designed to enhance communications between CBP, rights holders, and the trade community. To that end, the IPRWG anticipates having a number of recommendations for the June 2024 public meeting. These recommendations focus on automation of the CBP enforcement processes and enhancements to tools that allow rights holders to share information with CBP, so that the agency can better combat the illegal importation of counterfeit and piratical goods.

Conclusion

The IE Subcommittee is eager to provide updates from the AD/CVD, Forced Labor, and IPR Process Modernization WGs at the June 2024 public meeting. Looking forward, we will continue to evaluate potential opportunities to enhance trade and government processes, policies, and programs, with the goal of strengthened compliance by the trade through CBP outreach.