

Commercial Customs Operations Advisory Committee (COAC) 1USG Subcommittee – Trade Executive Summary

February 28, 2018

COAC

COMMERCIAL CUSTOMS OPERATIONS
ADVISORY COMMITTEE

ADVISORY COMMITTEE ON COMMERCIAL OPERATIONS TO CUSTOMS AND BORDER PROTECTION

One U.S. Government at the Border Subcommittee Executive Summary – Trade Progress Report February 2018

1. Background:

The Advisory Committee on Commercial Operations of Customs and Border Protection (COAC) determined to carry on the work from the 12th and 13th Term COAC One US Government at the Border Subcommittee. The Mission of the Subcommittee is to implement the January 15, 2013 COAC 12th Term Recommendation:

That CBP pursue interagency partnership programs following the principles and standards set forth in the One US Government Master Principles Document and progress toward completion can be measured via CBP reporting quarterly back to COAC on progress being made to implement programs that align with these principles, principally through the Border Interagency Executive Council (BIEC).

Trade chairs: Susie Hoeger and Amy Magnus

Government: John P. Leonard, Executive Director, Trade Policy and Programs, Office of Trade; Debbie Augustin, Executive Director, Trade Transformation Office (ACE Business Office), Office of Trade

Outline of Work

The Subcommittee continued its work in promoting the One USG Master Principles document through the North American Single Window Working Group and Fish & Wildlife Service Working Group. A new working group addressing ACE outages was also formed.

2. Summary of Work

North American Single Window Working Group

The North American Single Window Working Group (NASW WG) consists of importers, filers, software vendors, Canadian and Mexican trade partners, and CBP representatives. The group's vision statement is:

Streamlining Imports and Exports in North America: A Single Window Approach

As Canada, Mexico and the United States advance their respective Single Windows, we commit to align our approaches in order to streamline processes and requirements to the greatest extent possible to foster fair and competitive trade in North America.

The expected goals/benefits of a North American Single Window include:

- *Increasing trade and economic growth by aligning and simplifying Canadian, Mexican and United States import and export reporting processes which reduces the costs of doing business among the region.*
- *Facilitating compliance with and enforcement of trade requirements among Canada, Mexico and the United States.*

- *Minimizing the requirement for paper forms in the import and export process by allowing commercial traders to electronically submit information to comply with Customs and other government regulations for border-related decisions in the region.*
- *Promoting transparency and process predictability.*

The NASW WG has not had any significant activities since the previous public meeting, and is awaiting further guidance from CBP and the BIEC on the next priorities where trade input and recommendations may be required.

Fish & Wildlife Service Working Group

The Fish & Wildlife Service (FWS) Working Group, led by COAC member Madeleine Veigel, was formed with representatives from FWS, CBP, COAC, and key stakeholders from the trade with the task of providing comments and recommendations on the agency's ACE pilot and implementation. In particular, the WG has reviewed processes related to non-designated port exemptions, FWS HS flags, the disclaim process and what FWS refers to as the "Y" and "N" scenarios which relate directly to a variety of different species. Pursuant to the recommendation made at the August public meeting, the group is putting together a white paper with further comments and recommendations on HS code break-outs. This paper is still being finalized.

ACE Outages Working Group

The ACE Outages Working Group, led by 1USG co-chair Amy Magnus, was formed with the task of providing comments and recommendations on CBP's procedures and protocol during ACE outages and other system interruptions. The group has been actively meeting, including an in-person session, and will be making several recommendations at the November meeting. The working group is awaiting CBP's publication of the final document.

Other Work

The subcommittee has continued to collect trade feedback on the ACE implementation.

2. Next Steps

1USG will continue to monitor CBP, PGA, and trade readiness as the ACE rollout continues, and will provide feedback to CBP and make recommendations as appropriate. The subcommittee also looks forward to working with the BIEC on the various projects that have been identified as priorities for the coming year, potentially including:

- De Minimis for PGAs
- Foreign Entity Identification Numbers
- Advanced Data
- Harmonization of Sub-Descriptors
- PGA Access to Seizure and Enforcement Decisions

We conclude by reiterating our previous statement:

It is imperative that the trade community and government agencies establish mutual understanding for the future of data exchange, engagement expectations and cooperate to achieve the appropriate risk based mitigation standards that secure cargo movement and facilitate trade at the speed of business.