

Virtual Trade Week: 21CCF Frequently Asked Questions (FAQs)

Q. What is CBP doing to protect against hackers (in the US or overseas) to prevent tools, like advanced targeting, from becoming exposed, potentially allowing hackers to learn what types of shipments are not reviewed as closely?

Our first priorities will always be to protect the trade transmissions in regard to Trade Secrets and Personally Identifiable Information (PII) data. At this time, the use of encrypted data and encrypted keys to share data is the methodology CBP/DHS S&T are exploring.

Q. I work with other PGAs, e.g., Dept of State, and their new IT/DECCS efforts are moving to the types of consolidated submissions Customs intended. Is there cross-coordination across agencies--to see if there is some consistency? Note: DECC is the DOD/Directorate of Defense Trade Controls (DDTC)/Defense Export Control and Compliance System.

Yes. Agencies requesting additional development in ACE submit the request via the BIEC working group. The request is reviewed by CBP policy offices, and then shared with the BIEC to determine if there may be benefits to multiple agencies. The request is then prioritized for implementation by the BIEC via a SWS PayGo session. For additional information on the Border Interagency Executive Council please see the following link: <https://www.cbp.gov/trade/border-interagency-executive-council-biec>.

Q. What is the timeline for proposing the new legislation that has been raised during this panel?

CBP and the Trade are engaged in an ongoing dialogue via the 21st Century Customs Framework (21CCF) Task Force. Through this Task Force, CBP is sharing proposed language and gathering feedback and suggestions on these proposals. Following the first iteration of the Task Force in October 2021, CBP will meet with the 21CCF Focus Group to recommend whether and how to incorporate feedback from the Task Force, at which point recommendations will be delivered to the full Commercial Customs Operations Advisory Committee (COAC) for review. It is currently estimated that formal COAC recommendations will be delivered in Spring 2022.

Q. Why are you proposing these changes now? What caused CBP to pursue 21CCF?

Since the last comprehensive trade legislative changes in 1993 (the Customs Modernization Act), growth in e-commerce, rapid technological change, and the continued expansion of the global marketplace have significantly altered how trade is conducted. As these shifts continue to accelerate and evolve, it is imperative for the U.S. government to act now to pursue transformational reforms that set the stage for sustainable industry success and competitiveness in the 21st Century and beyond.

Q. How do we ensure that an enhanced customs policy and future 21CCF includes adequate enforcement policies that meet the goals of informed compliance while ensuring recovery of revenue for critical commodities that are essential to the nation's economic security?

Throughout the development of the 21CCF, the Trade Modernization Office (TMOD) has worked closely with stakeholders from across CBP and the Trade to promote collaboration and transparency in the development of 21CCF. This commitment to transparency continues as CBP works to formalize its framework and is evidenced in the ongoing collaboration between CBP and the Trade via the COAC, 21CCF Task Force, and other avenues. As CBP moves into the later stages of 21CCF, the agency will continue to work closely with the COAC and 21CCF Task Force to map potential regulatory and policy changes and their impacts on the trade process. These engagements will be conducted in close coordination with industry at each step.

Q. How do you balance the priorities of the entry of e-commerce goods to entries of large commodities, metals, building materials and manufactured goods?

To modernize trade processes, CBP, via the 21CCF, is examining both its formal entry and administrative exemption statutes. The agency recognizes that while e-commerce is likely to continue as the dominant catalyst of importations, large commodities will not disappear. As such, the agency is considering all appropriate avenues for modernization of both processes to achieve process efficiencies for all parties.

Q. Any thoughts or comments on how CBP and the Trade can work together to improve the efficiency of our ports, specifically with regard to the physical movement of goods in and out of the ports, to allow us to keep up with automation projects at other ports around the world?

As demonstrated throughout the development of 21CCF, CBP is committed to working closely with the Trade to achieve the faster, more secure facilitation of goods at the U.S. border. 21CCF will enable the agency to utilize a broader, more detailed picture of the entirety of the import process to make better, faster, more secure admissibility determinations. These determinations will facilitate the faster flow of legitimate trade across the border.

Q. How does the work on the decentralized identifier (DID) relate to CBP's efforts on the global business identifier (GBI)?

The global identifier can potentially be part of the attributes of a DID to verify the legitimacy of a corporation and used at an account level.

Q. Has CBP or will CBP consider adding an optional field to the entry to capture the importer's reference (e.g., "part number") associated with each entry line? Having that info available in ACE would be very useful for importers and CBP alike.

We are very interested in the ability to properly identify products. The goal of re-engineering the line to be product specific aligns with this suggestion.

Q: If the Government does not approve funding to keep itself running, U.S. FWS reverts back to paper processing which does not facilitate trade at all.....any improvements coming down the road with U.S. FWS you can share?

Like CBP and other U.S. government partners, the U.S. Fish and Wildlife Service (USFWS) is committed to the expeditious movement of the legal trade through U.S. ports of entry. To make it easier for the trade community to move its wildlife products, the USFWS has worked to finalize the implementation of the "FWS Message Set" in the Automated Commercial Environment (ACE). This has provided all filers with the opportunity to submit USFWS data in ACE, and further streamlines the process by allowing submission and processing under a "single window" electronic system. However, due to international CITES convention requirements, paper CITES permits are still presently required. Any adopted changes to these multilateral convention requirements will be reflected in U.S. regulations and the trade community will be notified during the rule making process.

