

Commercial Customs Operations Advisory Committee Secure Trade Lanes Subcommittee

Export Modernization Working Group

*Electronic Export Manifest Pilot Document: Outlined Benefits for Why
You Should Participate*

September 2022

The logo for the Commercial Customs Operations Advisory Committee (COAC) features the letters 'COAC' in a bold, serif font. The 'C' and 'A' are blue, while the 'O' and the second 'C' are red. The letters are positioned above two horizontal lines, the top one being red and the bottom one blue.

COMMERCIAL CUSTOMS OPERATIONS
ADVISORY COMMITTEE

Electronic Export Manifest Pilot Document: Outlined Benefits for Why You Should Participate

Background

The Trade Act of 2002, Sec. 343 mandated U.S. Customs and Border Protection (CBP) collect pre-departure data for all exports. The Commercial Customs Operations Advisory Committee (COAC) Export Modernization Working Group (EMWG) worked together with CBP and the U.S. Census Bureau (Census) to develop this concept and the result was a streamlined export process vision which includes requirements, streamlined data elements, and a modernized process design.

Core to the execution of this vision is the Electronic Export Manifest (EEM), presently operating as a pilot at particular ports with limited participation. CBP, Census, and COAC see benefits in pilot expansion to include additional participants and ports in advance of the Notice of Proposed Rulemaking (NPRM) for EEM. The NPRM will require the EEM for the air, ocean, and rail modes of transportation to be submitted to the Automated Commercial Environment (ACE) electronically. The EEM for truck is presently being discussed via the COAC EMWG, and the truck pilot and corresponding NPRM will follow in the near future.

Today, export manifest information is submitted to CBP via document images, email and paper processes, resulting in inefficiencies for both the party submitting the data and CBP. The EEM allows pre-departure manifest data to be collected on all export transactions electronically and includes master and house level manifest data from the carriers that control that information. As the EEM pilot unfolds and regulations are implemented, the modernized vision for exports is planned with the following additional features:

- **Streamlined data elements.** A major part of the EMWG's work included a careful analysis of the overlapping elements between the EEM and the Electronic Export Information (EEI), which is submitted to ACE by the U.S. Principal Party in Interest (USPPI) or an authorized agent. While the EEI will remain a separate and distinct filing to collect data for Census and all other Participating Government Agencies (PGAs), EEM will provide a basis for the long-term goal to eliminate redundancies between these two filings. In the future, this will be accomplished by aligning the EEI with the EEM, extracting the most accurate data from each submission based on the ownership of the information; for example, the manifest could be the source for the actual date of exportation and port of departure. (See [Export Modernization Working Group White Paper \(cbp.gov\)](#)'s page 123 for more information.)
- **Post-departure filing.** Another feature of the EMWG's work included a tabletop exercise designed to facilitate EEI post-departure filing. With the EEM as an active and required filing, CBP and Census have greater flexibility to refactor this program and may launch it to eligible traders in the future. (See [Commercial Customs Operations Advisory Committee \(COAC\) \(cbp.gov\)](#) and [COAC 0116 Public Option 4 Issue Paper.pdf \(cbp.gov\)](#) for more information.)
- **Standardized manifest data elements.** A major part of CBP's work with global Customs administrations is to align manifest data elements globally by mode. With the EEM as an active and required filing, CBP is in a good position to support their continued work to further streamline data collection for global traders.

What's Changing and Why?

The NPRM will require submission of the EEM data to ACE via manifest functionality. Moving toward replacing manual processes with automation is required to meet the Trade Act of 2002 requirements for pre-departure data and modernize the export process for the trade. Per government and industry feedback, the partnership to pilot the EEM on a smaller scale was successful and is now extending into additional modes of transport and to additional ports. This extension in testing is important for both the government and trade because it will ensure limited business disruption of exports when the pending regulations requiring EEM are implemented.

What are the Benefits?

While different benefits apply to each stakeholder individually, it is fair to say there's something for everyone in export modernization. It is important to note the elements of EEM and Export modernization that are not yet included in the pilot, so the trade's realization of the benefits might not be immediate.

The benefits are:

- **Cargo processing efficiency.** Receiving the relevant shipment data earlier in the process will allow CBP and other PGAs to potentially target and inspect cargo further upstream in the supply chain. The pilot indicated that because the actual carriers will report the transportation data, that data is much more accurate. When CBP targets earlier with more accurate data, the trade benefits in streamlined export operations.
- **Streamlined reporting and protection of proprietary shipment data.** The export manifest requires house bill of lading data. Non-Vessel Operating Common Carriers (NVOCCs) and Indirect Air Carriers (IACs) will either have the option of transmitting house bill of lading/air waybill manifest data electronically utilizing EEM or providing the information to the carrier for them to transmit. Participating in EEM will streamline the reporting function for NVOCCs and IACs and will protect the shipment data.
- **Adapting the design.** Participating in the pilot now will allow your company to realize the extra benefit of having your business intricacies considered and adaptations made more readily during the pilot phase. Once rulemaking is complete, the resources may be limited to further enhance the program.
- **Elimination of redundant data elements / increased accuracy.** With the future goal of EEM and EEI connectivity, removing transportation-related data elements from the EEI filing will eliminate the requirement for the filer to amend the EEI, reducing the opportunity for penalties and allowing EEI filers to file earlier in the process.
- **Better data access / proof of export.** The future ability for the EEM to be used to support proof of export for shipments will streamline procedures for drawback, in-bond movements, and temporary imports because the EEM is reliable and electronically accessible via ACE.
- **Beneficial penalty structure.** With the use of more reliable and advanced data, the opportunity for resolving issues earlier in the process may result in a reduction in the issuance or elimination of penalties.
- **Potential cost savings.** As we transition to new processes, export modernization will create efficiency of export operations for the trade and CBP. Since the EEM data will be near real-time, advanced screening will result in more rapid notification of inspection and reduce costly repacking. Since the EEM data will be reliable, the process lends itself to removing transportation data elements from the EEI in the future, resulting in reduced labor to amend filings and the reduced need for penalties. Since the EEM data will be automated, evidence for duty reduction programs is electronic, reducing the time associated with paper proof. All things combined, process owners will find considerable cost savings in the efficiency of the EEM process.

Join the Pilot!

- CBP has been conducting an EEM pilot for several years with carriers in various transportation modes. The pilot has been useful in allowing the carriers to program the EEM data elements, validate transmission paths to ACE, and manage the hold/inspection process more efficiently. Here are some reasons why you should participate:
 - Pilot participants can eliminate manual or paper submission of manifest information.
 - Pilot participants can influence the design of the future export systems and proposed regulations by working with CBP to adapt the requirements to your business model.
 - The EEM pilot is being extended into additional modes of transport and more ports in order to create a robust environment for testing the needs of various supply chain entities.
 - The requirements for participation in the pilot are aligned closely with those of the future NPRM, so pilot participants will be prepared for the new rule and will experience minimal business disruption when the EEM goes into effect.
- **NOW** is the time for carriers, consolidators, IACs and NVOCCs to begin their engagement with the EEM pilot!

Where Do I Get More Information?

- For more information on the EEM pilot, visit: <https://www.cbp.gov/trade/ace/technical/export-manifest>
- For the Air Cargo Test: [ACE Export Manifest for Air Cargo Test: Extension of Test](#)
- For the Rail Cargo Test: [ACE Export Manifest for Rail Cargo Test: Renewal of Test](#)
- For the Vessel Cargo Test: [ACE Export Manifest for Vessel Cargo Test: Renewal of Test](#)

Questions? Please reach out to the following points of contact at CBP: Your assigned ABI client representative; Brian Semeraro, Branch Chief; David Garcia, Program Manager, Outbound Enforcement and Policy Branch, Office of Field Operations; via email at cbpexportmanifest@cbp.dhs.gov; or by phone at (202) 325-4221.