

❖ AAEI American Association of Exporters and Importers  
*The Voice of the International Trade Community Since 1921*

November 22, 2010

Via E-Mail

U.S. Customs and Border Protection  
799 9<sup>th</sup> Street, NW  
5<sup>th</sup> Floor  
Washington, D.C. 20229-1177

ATTN: Tracey Denning, Regulations and Rulings, Office of International Trade

**Re:** Commercial Invoice; Agency Information Collection Activities  
OMB Number 1651-0090

Dear Ms. Denning:

On behalf of the American Association of Exporters and Importers (AAEI), we are submitting this comment in response to the Federal Register notice, 75 Fed. Reg. at 57480 dated September 21, 2010, concerning the information collected from commercial invoices used by U.S. importers for international shipments of merchandise imported into the United States. AAEI appreciates submitting comments to U.S. Customs and Border Protection (CBP) on this topic.

In particular, we address the issues raised in the Federal Register notice as follows:

**1. Whether the collection of information is necessary for the proper performance of the functions of the agency, including the information shall have practical utility**

AAEI understands that CBP considers information on an invoice when reviewing information submitted on documents such as the Customs Form 7501 (which among other information shows the calculation of duties, taxes and fees). Principle data of interest includes the name and address of the buyer and seller, description of the merchandise, quantity, and value for merchandise imported into the United States. Although importers would welcome the elimination of requiring a commercial invoice they would be concerned that CBP would greatly increase the number of Requests for Information (CBP Form 28) and other CBP inquiries when reviewing Customs Forms.

**2. The accuracy of the agency's estimates of the burden of the collection of information**

AAEI has no basis to determine whether CBP's estimates of the burden of the collection of information via the commercial invoice is accurate, and therefore can not comment on this question with any certainty.

**3. Ways to enhance the quality, utility, and clarity of the information to be collected**

AAEI recommends that CBP publish suggested guidelines for product descriptions on commercial invoices that would reduce the regulatory burden to the international trade community by providing CBP with more clarity concerning the nature of imported merchandise.

**4. Ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology**

AAEI believes that CBP's failure to complete the Automated Commercial Environment (ACE) program has hindered efforts to minimize the burden to the international trade community since the Agency cannot currently view commercial invoices in its current electronic entry system, the Automated Broker Interface (ABI). As a result, CBP routinely issues Requests for Information (CBP Form 28) to importers seeking copies of the commercial invoices thereby increasing the burden to the trade community. Further, the completion of ACE would facilitate the development of an account based process that would ultimately minimize the burden to both CBP and the trade while simultaneously increasing the facilitation of trade.

**5. The annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs)**

AAEI does not have available cost data for the annual costs burden to generate, transmit and maintain commercial invoices. However, we do advise that to facilitate the creation of Customs forms an invoice used with each shipment of goods imported into the United States typically includes both information available for commercial reasons and information created only because it is specifically required on a US Customs entry.

We would be happy to discuss our comments with CBP.

Sincerely,

A handwritten signature in black ink that reads "Marianne Rowden". The signature is fluid and cursive, with the first name being more prominent.

Marianne Rowden  
President & CEO

cc: Aaron Gothelf, Co-Chair, AAEI Customs Committee  
Jim Phillips, Co-Chair, AAEI Customs Committee