



May 28, 2015

Ms. Tracey Denning
Regulations and Rulings
Office of International Trade
U.S. Customs and Border Protection,
90 K Street NE., 10th Floor
Washington, DC 20229-1177

RE: FRN 1651-0001 of March 31, 2015 on Agency Information Collection Activities

These comments are submitted on behalf of the Express Association of America (EAA) in response to the CBP Federal Register Notice (FRN) of March 31, 2015 regarding approval of information collection activities. EAA members are DHL, Federal Express, TNT and UPS, the four largest express delivery service providers in the world, providing fast and reliable service to the U.S. and more than 200 other countries and territories. These four EAA member companies have estimated annual revenues in excess of \$200 billion, employ more than 1.1 million people, utilize more than 1700 aircraft, and deliver more than 30 million packages each day.

EAA comments are directed to the section of the FRN on Electronic Air Export Manifest. This section announces that CBP intends to conduct a pilot in 2015 to collect air export manifest information electronically. While this FRN apparently is not designed to provide details on how this pilot would be conducted, it is important that CBP hold discussions with the air cargo industry regarding the goals and structure of this pilot, data requirements and reporting channels, and how the information collected in the pilot would be used. These discussions should take place well in advance of the implementation of the pilot. Therefore, we assume OMB is not being asked to provide their approval for an export manifest pilot via the process being started by this FRN.

The FRN states export manifest data will be submitted into ACE via AES "in advance". This statement is confusing as the AES module of ACE is currently used for exporters to submit data for trade statistics purposes and is not a system designed to process manifest information, which is a carrier's responsibility. In determining how air cargo carriers will submit export manifest information to CBP, maintaining the current procedures through which the manifest is submitted post-departure is critically important. The air cargo community and the COAC have been holding discussions with CBP on the concept of a progressive filing of a limited set of data elements on exports that potentially could allow risk assessment and compliance determinations to be conducted in advance of the goods departure. These discussions are still in an initial phase, and the subject requires additional extensive exploration to ensure the CBP strategy for collecting export information is risk-based, operationally feasible for the trade community, and

ensures the responsibility for reporting the information lies on the parties in the best position to provide it.

The list of data elements in the FRN that could be included in the pilot includes some new ones not transmitted as part of the export manifest information now, namely HAZMAT indicator, UN number and mode of transportation (containerized or non-containerized). As a general comment, EAA feels the transition of export manifest to ACE should not entail an expansion of the information currently being requested unless sufficient discussions are held with the trade to determine how CBP intends to use the additional information and who is in the best position to report it. The data element on containerization applies more to other modes of transportation and probably is not applicable to air cargo. The phrase “unit of measure” has been added to the data element “number of pieces” in the FRN. Further explanation of what information CBP is seeking through this change is needed, as currently the number of pieces is reported as a plain number.

For further information or to answer any questions, please contact Michael Mullen at 703 759-0369 or michael.mullen@expressamerica.org.