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***BUSINESS ALLIANCE FOR
CUSTOMS MODERNIZATION***
1501 K Street NW
Washington, DC 20005

December 5, 2014

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

Re: Comments on Federal Register Notice on Agency Information Collection
Activities: Importer ID Input Record [1651-0064]

Dear Ms. Denning:

The U.S. Business Alliance for Customs Modernization (BACM) appreciates the opportunity to file these public comments on the above captioned Federal Register notice (79 Fed Reg 61091, dated October 9, 2014). BACM is a coalition of U.S. companies that import and export extensively, filing over 2 million entries valued at more than \$130 billion per year. BACM is dedicated to modernization of U.S. Customs laws, regulations and policies and is committed to the facilitation of trade to the greatest extent possible consistent with customs compliance.

The notice states that “Each person, business firm, government agency, or other organization that intends to file an import entry shall file CBP Form 5106 with the first formal entry or request for services...”. It further states that U.S. Customs and Border Protection (CBP) proposes to revise Form 5106 by gathering additional information about companies and their officers. CBP estimates that this proposal will double the information collection burden on entities completing that form. Consistent with the statement in the notice that Form 5106 is filed with the first formal entry or request for services by an importer, our understanding, based on comments made at public meetings of the Commercial Operations Advisory Committee (COAC), is that CBP intends to gather information about entities that it does not already know. That is, for low-risk importers and those with long and extensive histories of interacting with CBP, such as the BACM member companies, there would be no need to obtain the type of information listed in this proposal.

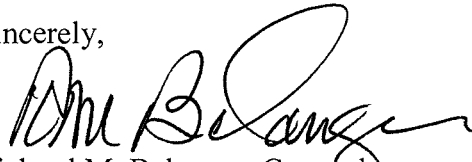
BACM recommends that CBP clarify that the additional information proposed to be collected applies only to “unknown” entities. This is necessary because the current instruction sheet to Form 5106 states that it should be used not only for first time importers, but also if an entity is “using an importer number for the first time”, or for changes of name or address. Companies such as BACM members regularly make use of new importer numbers due to

acquisitions or divestitures, reorganizations, etc. Name and address changes are also not infrequent. Current box 17 of Form 5106 inquires whether the importer has ever been assigned a CBP Importer Number under the same or different name. That question could be revised to filter out low-risk or entities "known" to CBP, and to specify that certain sections of the form need not be completed if that question is answered in the affirmative.

Unless CBP were to revise and clarify its proposal in accordance with our recommendation herein, BACM would have serious reservations about the proposal. Not only is the collection of the additional information an additional burden to existing importers, but some of the data, such as social security numbers and passport numbers, raise serious privacy concerns. Moreover, for large publically-traded entities such as the BACM companies, the notion that corporate officers actually have "importing knowledge" in most cases would be unrealistic.

For all the above reasons, we strongly recommend that CBP revise its proposal to amend CBP Form 5106 in the manner we suggest herein.

Sincerely,

A handwritten signature in black ink, appearing to read "R. M. Belanger", with a large, stylized loop at the end.

Richard M. Belanger, Counsel

U.S. Business Alliance for Customs Modernization