Report to Congress
on the
International Trade Data System

December 2010

Report to Congress on the International Trade Data System (ITDS)
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LEGISLATIVE REQUIREMENT

Section 405 of the "Security and Accountability for Every Port Act of 2006" (P.L. 109-347, October 13, 2006) (SAFE Port Act) requires the Secretary of the Treasury to oversee an interagency initiative to establish a "single portal system," to be known as the" International Trade Data System" (ITDS) and to be operated by the United States Customs and Border Protection. This unified data system is to electronically collect and distribute import and export data required by government agencies that license or clear the import or export of goods. Section 405 requires the President to submit a report on the ITDS at the end of each fiscal year to the Committee on Finance of the U.S. Senate and the Committee on Ways and Means of the House of Representatives. The report is to include:

(A) the status of the ITDS implementation,
(B) the extent of participation in the ITDS by Federal agencies,
(C) the remaining barriers to any agency's participation,
(D) the consistency of the ITDS with applicable standards established by the World Customs Organization and the World Trade Organization,
(E) recommendations for technological and other improvements to the ITDS, and
(F) the status of the development, implementation, and management of the Automated Commercial Environment (ACE) within United States Customs and Border Protection.

EXECUTIVE SUMMARY

ITDS Overview

The International Trade Data System (ITDS) is a project to build an electronic "single-window" for reporting imports and exports to the government. Currently, traders must make redundant reports to multiple agencies (often on paper). ITDS will allow traders to make a single electronic report and the relevant data will be distributed to the appropriate agencies. Costs will be reduced for business and government. Agencies will obtain data more quickly, be able to process cargo more expeditiously, and be better able to identify unsafe, dangerous, or prohibited shipments.

ITDS is not a separate computer system. ITDS functions are being built into the trade processing systems of U.S. Customs and Border Protection (CBP), as part of the ACE (Automated Commercial Environment) project.

Currently, 48 agencies, including CBP, are working together to implement ITDS. The interagency ITDS Board of Directors, chaired by the Treasury Department, coordinates interagency participation in ITDS. CBP has the responsibility of building and operating ITDS functions.

Current Progress

The past year has seen significant progress toward implementation of ITDS. Work on the following priorities is well under way:

- Add data elements required by other agencies to CBP's entry messages,
- CBP to accept transmission of "imaged" forms, forms currently submitted on paper, and
- CBP completion of plans for using ITDS as a platform for cooperative interagency border enforcement and establish standards for communication between agency IT systems.

Although focused on implementing the basic electronic infrastructure for ITDS (collecting data and delivering data to agencies), these three priority steps have the potential to:

- Immediately make import safety agencies better able to interdict unsafe shipments,
- Avoid proliferation of parallel import reporting systems,
- Eliminate the need to collect some paper documents, allowing remote location filing for entries that require supplemental forms to be filed, and
- Serve as a foundation for more advanced "value-added" ITDS functionality, such as admissibility processing to be implemented in the ACE Cargo Release Module.

CBP and the other ITDS agencies have begun work to validate previously collected operating requirements for Cargo Release. The implementation of Cargo Release and work on other "value-added" ITDS functions can only be successful if government agencies work together. Importantly, this year saw an interagency Import Safety Conference where leaders of 10 agencies with border safety missions reaffirmed their commitment to continued collaboration.

Longer Term Goals

To date, relatively little work has been done on ITDS export functionality. There may, however, be an opportunity to build on the existing Automated Export System (AES and the Census-operated AESDirect) to implement ITDS functionality. In addition, the work on system-to system communication (one of the three priorities noted above) could serve as a means for sharing other information that CBP collects with appropriate agencies at relatively low cost.

International Standardization

The SAFE Port Act requires that ITDS be consistent with the World Customs Organization (WCO) Data Model, an international standard for customs data requirements. International standardization reduces costs for traders and fosters data sharing between governments for security purposes, reducing the need for separate advance reporting to importing countries. To date, CBP has taken no concrete steps to implement the WCO standard messages within ACE.

RECOMMENDATIONS

1. **Using ITDS funding already available, CBP should finish work by the end of fiscal year 2011 on the three priority projects contained in Recommendation 2009-1.** Completing this work quickly will accelerate interagency cooperation and provide immediate benefits to both the government and the private sector,

2. **CBP should complete the necessary work for the ACE Cargo Release business case by the spring of 2011.**

3. **By the summer of 2011, CBP, Census, and other appropriate agencies should examine the potential for enhancing the Automated Export System to provide functionality for additional ITDS agencies, including a detailed examination of ITDS agencies export requirements.** Introducing enhancements to these systems could have minimal impact on ongoing work in the import systems.

4. **CBP should use the functionality developed for system-to-system communication to make data CBP already collects available to other ITDS agencies.** This will enable agencies to obtain data that supports their mission objectives without waiting for further deployment of additional ACE functionality.

INTRODUCTION TO ITDS

Currently, importers or exporters must often file separate and redundant reports to the various agencies that regulate trade. The goal of the International Trade Data System (ITDS) is intended to eliminate redundant reporting by creating a "single-window" system, replacing multiple filings, many of which are on paper, with a single electronic filing. Relevant data will be distributed electronically to the appropriate agencies, providing agencies with the ability to process that data electronically.

In addition to reducing costs for business and government by eliminating redundant reporting and systems, ITDS will enhance agencies' ability to identify risky cargo, persons, and conveyances, will collect trade data that are more accurate, complete, and timely, and will speed cargo processing.

Section 405 of the SAFE Port Act of 2006 formally established ITDS and directed the Secretary of the Treasury to coordinate interagency participation in ITDS through a steering committee consisting of the agencies participating in ITDS and the Office of Management and Budget (OMB). The SAFE Port Act requires all "agencies that require documentation for clearing or licensing the importation and exportation of cargo" to participate in ITDS.

ITDS is not a separate computer system, but consists of functionality being built and funded through the ACE (Automated Commercial Environment) project, a modernization and expansion of automated systems for processing imports and exports operated by Customs and Border Protection (CBP). Work on the ITDS project has actually been underway since the mid-1990's; details of the early history of ITDS can be found in the Appendices to this report.

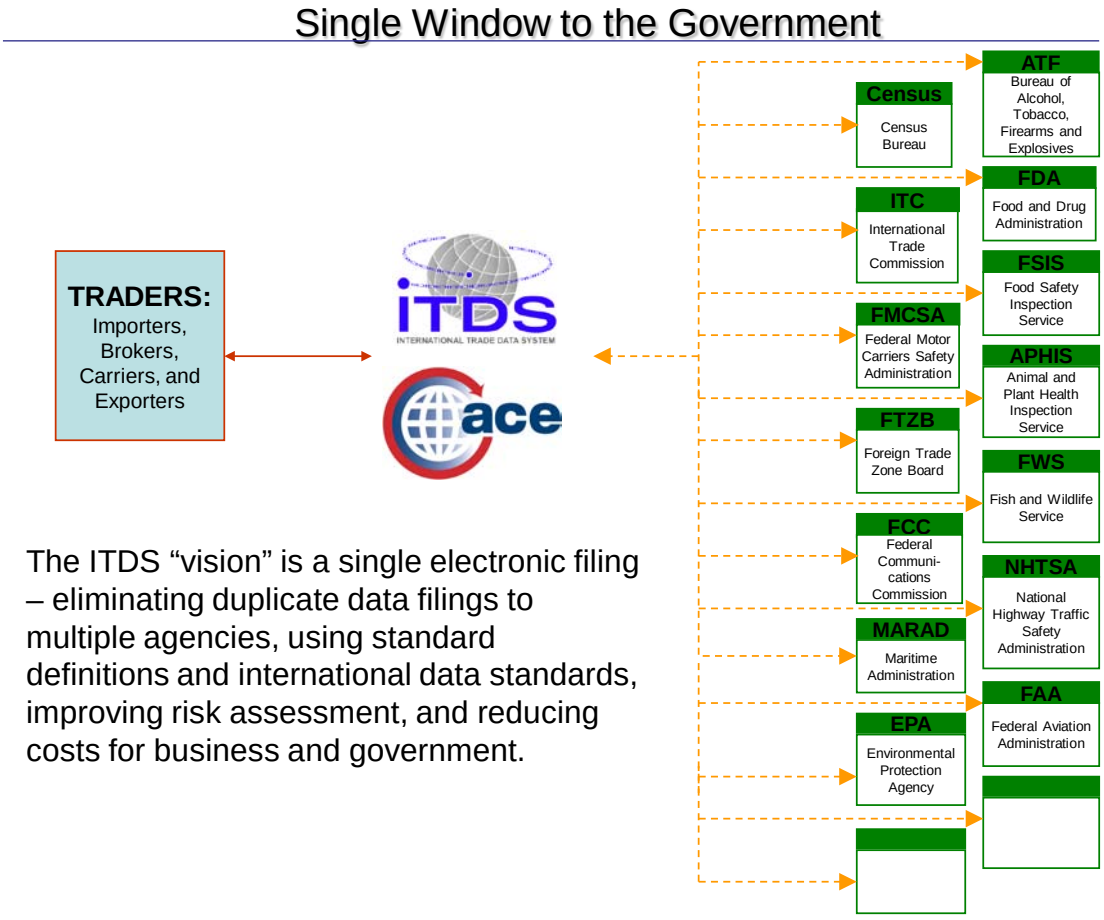
Currently, 48 agencies, including CBP, are participating in the ITDS program, including all the agencies required to participate in ITDS by the SAFE Port Act. Treasury chairs the interagency ITDS Board of Directors (the interagency steering committee of the SAFE Port Act), which also has several subcommittees that focus on particular aspects of the ITDS program. CBP, working with other ITDS agencies, is responsible for identifying and documenting agency requirements for ITDS and for building corresponding ITDS functionality within ACE.

Fundamentally, ITDS is about data interchange:

- Agencies agree to standardize their data requirements, eliminating duplicative reporting requirements,
- The standardized data is transmitted to CBP by traders and stored in the "ACE Data Warehouse,"
- CBP transmits relevant data to appropriate agencies, or agencies obtain data through a web-based interface, the ACE Portal,[1] and
- Agencies with a border control function may provide information, operational instructions, or advice to CBP via ACE.

[1] The ACE Portal is a secure web-based interface which an agency analyst can access through the internet and obtain detailed data on imports.

In addition, the ITDS program also facilitates cooperation between agencies, including CBP, on border operations. ITDS agencies also hope to take advantage of processing capabilities that could be incorporated into ACE, such as tracking and decrementing licenses, and targeting of shipments based on risk analysis.



The ITDS "vision" is a single electronic filing – eliminating duplicate data filings to multiple agencies, using standard definitions and international data standards, improving risk assessment, and reducing costs for business and government.

STATUS OF IMPLEMENTATION OF ITDS

Three Priorities for Implementing the Basic ITDS Infrastructure

The past year has seen significant progress toward implementation of ITDS. Last year the ITDS Board of Directors proposed three priority steps for quicker implementation of basic ITDS functions.

- That CBP immediately add data elements required by other agencies to the major import reporting messages (manifest, entry, entry summary).
- CBP should develop the capability to accept transmission of "imaged" forms (such as .tif or .pdf files) which currently are submitted on paper.[2]
- CBP should complete its plans for ITDS and make decisions related to the technical interoperability with other agencies' systems, in order to allow other agencies to continue with their plans for using ITDS and investing in automated systems to work with ACE/ITDS.

Work Under Way

Work on these three priorities is well underway. In a memo of August 18, 2010,[3] CBP Commissioner Alan Bersin laid out guidelines for that work. Since that time CBP has already developed and deployed a prototype imaging capability. CBP and other ITDS agencies have also agreed that "web services" would be one standard used to transmit data between agency systems. Both the imaging and web services capabilities are currently being tested. In addition, CBP is in the process of preparing to add data elements required by other agencies to the Automated Broker Interface (ABI), the data intake module for entry process information. Those data will be available to agencies through the ACE Portal and/or system-to-system communication. CBP has proposed a specific format for collecting additional ITDS data through ABI. That format is being reviewed by both the participating agencies and the trade community.

Although focused on implementing the basic electronic infrastructure for ITDS, collecting data and delivering data to agencies, these three priority steps have the potential to:

- Immediately make import safety agencies better able to interdict unsafe shipments,
- Avoid proliferation of parallel import reporting systems,
- Eliminate the need to collect some paper documents, allowing remote location filing for entries that require the filing of supplemental forms, and
- Serve as a foundation for later ACE deliverables such as Cargo Release.

[2] "Imaging," even if done only on an interim basis, could greatly speed delivery of information to the appropriate agencies and would provide the additional advantage to CBP of allowing remote location filing for entries that currently require the filing of supplemental paper forms. For some seldom used paper forms this could be a permanent solution, but for other data that would most effectively be collected through electronic data interchange (EDI), imaging presents a temporary alternative that can provide significant short-term benefits.

[3] See Appendices.

Value-Added ITDS Functions

These three steps also provide agencies with valuable experience operating in an electronic environment, which is critical to implementing more advanced or "value-added" ITDS functionality, such as processing that data, providing a platform for communication between agencies, and to the extent possible, having IT systems make decisions about shipments that people now make, (or not make, because of lack of resources).

Work on the "value-added" aspects of ITDS has also advanced. CBP has completed work on its own detailed plans (the Customs and Border Protection International Trade Data System Concept of Operations (CONOPS)). CBP's CONOPS is the roadmap that CBP will follow when interacting with the ITDS agencies and the trade community. CBP has also conducted several "gap analyses" – comparing the CBP CONOPS with the CONOPS from other agencies to identify any inconsistencies. A public version of the CBP CONOPS is available on CBP.gov. Other agencies and the private sector can now examine their future activities and plan IT investments using this CBP roadmap.

Cargo Release Functionality in ACE

The Cargo Release function in ACE is intended to enhance the ability of Federal agencies with import safety responsibilities to carry out their missions. Consequently, the successful delivery of this important release is of keen interest to many ITDS agencies. CBP and the other ITDS agencies have begun work to verify the operating requirements for Cargo Release. Requirements validation is also underway with the private sector.

Import Safety Conference

The work on Cargo Release and on other "value-added" ITDS functions requires government agencies to make concrete decisions about how they will work together. An important step was the hosting by CBP, the Consumer Product Safety Commission, and the Food and Drug Administration of an Import Safety Conference involving 10 agencies with a border safety mission. The agency leaders at the Import Safety Conference reaffirmed their commitment to continued collaboration on import safety at the executive level. In addition, several agencies signed a Memorandum of Understanding on multi-agency cooperation at CBP's new Commercial Targeting and Analysis Center.

ITDS Functions Already Implemented

Of course, some ITDS functions have been operational for several years. Agencies have already been able to review, through the web-based ACE Portal, some data that CBP already collects electronically. [4] Some agencies have been able to use that data with success. [5]

[4] It should be noted that some "single-window" functionality has been operational for years. Although the a complete "single window" for reporting by importers, exporters, and carriers does

The Department of Commerce's Foreign Trade Zone Board and CBP already use ITDS functions built into ACE to manage the nationwide inventory of Foreign Trade Zones despite some remaining software issues with that application. In addition, Commerce's Import Administration and CBP now use ACE for case management of the anti-dumping and countervailing duty programs, with new features that the trade community also finds useful for monitoring case status. ACE is now used for all of CBP's recording and processing of anti-dumping and countervailing duty cases.

Other agencies currently with ACE Portal access (or that could have Portal access) could probably take more advantage of the data currently available through ACE. [6] Some agency uses of the Portal have been limited because the software for retrieving that particular data has not yet been perfected or has capacity limitations. The ability to collect additional data on behalf of the Federal Motor Carrier Safety Administration (FMCSA) through the inbound truck manifest has also been built, but has not been used.

NEXT STEPS

The immediate ITDS goal will continue to be the three priority steps to implement basic ITDS infrastructure (add data elements to CBP messages, implement imaging capability, and testing data transfer between systems). At the same time, work on validating cargo release and entry related requirements will continue. Several ITDS agencies will also be involved in the user testing and deployment of ACE Vessel – Rail Manifest (M1).

Export Commodity Report

To date, relatively little work has been done on ITDS export functionality. There may, however, be an opportunity to build on existing systems and implement ITDS export functionality relatively quickly and with existing ITDS funding. Currently, exporters must file electronic export information (commodity information) under Department of Commerce rules through the Automated Export System (AES), which is maintained by CBP and the Foreign Trade Division within the U.S. Census Bureau (Census)[7]. In addition to capturing data about the commodities being shipped, AES already captures export control information, including information on licensed goods, and can edit and

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not yet exist, several agencies have for years already used data filed through CBP. For example, information used by the Census Bureau to compile national import statistics has long been collected jointly and electronically through filings with CBP. Information used by the FDA has also been collected through electronic filings with CBP. But no new specific data required by other ITDS agencies is being collected or "single-window filing" functionality has yet been implemented through the ACE/ITDS project.

[5] As a result of ACE Portal access, the amount of ineligible product detected, detained, and either removed from commerce or returned to FSIS for reinspection increased almost 30 fold -- from 97,000 to 2.87 million pounds between FY 2005 and FY 2006. Between 2007 and 2010, FSIS has removed over 8.5 million pounds of ineligible product from commerce.

[6] An outline each agency's ITDS plans and status can be found in the section "Agency Plans and Status."

[7] A free web-based conduit into AES, called AESDirect, was developed and is maintained by Census to provide a free and easy-to-use tool for exporters (mostly small to medium-sized) to create and file EEI.

validate against parameters on an export license approved by a licensing agency. Currently, only the State and Commerce Departments have an interface with AES to perform these edits and validations. By expanding AES to improve the oversight of export controlled items, the export missions of several ITDS agencies may be directly supported.

In the same functional area, the ITDS Board is beginning work with the Export Control Reform Task Force that is operating under the authority of the National Security Council. That task force is working to expand the capabilities of a Department of Defense automated export licensing application system, USXPort. An interface between AES and the future enhanced USXPort could potentially yield great benefits. Specifically, the oversight of controlled exports could be strengthened and the ability of exporters to comply with Federal rules improved. All changes to the data elements or validation made to the AES will need to be mirrored in the AESDirect.

Export Manifest

While AES and AESDirect capture commodity information reported by the U.S. exporter, the actual departure of exported commodities is reported by the exporting carriers. When commodities leave the country, the usual practice is for the exporting carrier to file of an export manifest with CBP (usually on paper). An automated export manifest system that could connect with AES could improve export enforcement through electronic processing and use of risk management systems.

While there is currently a limited automated export manifest system on which to build ITDS functionality, a longer term solution for building export functionality for all ITDS agencies that may limit costs, would be to build on the work currently being done for the inbound manifest. The inbound and export manifests contain largely the same information; same means of transport, same shipments, etc. Consequently, designs for an inbound manifest may be a model for its export counterpart. Some design work for an export manifest has already been done. Links between the export manifest and AES would need to be added. CBP has recently worked with several ITDS agencies to develop and identify high level export business processes that will support identification of current system capabilities that could be utilized for this work.

Additional Data Sharing

As indicated above, several agencies already use the ACE portal. That data, however, is primarily entry summary information. The work on system-to-system communication noted above could serve as a means for sharing other information that CBP collects with appropriate agencies. CBP is already considering the sharing of entry information through the interoperability initiative and this could be expanded to include inbound manifest information.

Both the Food Safety Inspection Service and the Department of Transportation are launching new automated systems to support their mission requirements. Interfaces with ACE have been envisioned from the beginning of these efforts. Here again the data sharing potential of the work on system-to-system communication could be used to

provide these systems the information required from CBP quickly and at relatively low cost.

ACE Delays and the Impact on ITDS

The past year has seen a continued delay in implementation of the ACE Vessel and Rail Manifest Release (M1 Release). ITDS functionality scheduled for this release has therefore not been delivered. Importantly, however, the decision to proceed with work on the three priorities noted earlier in this report has allowed other work on ITDS to progress largely unimpeded by delays in M1.

Work on the Entry Summary Accounts and Revenue (ESAR) functionality has also been delayed.

Extent of Participation by Federal Agencies

Forty-eight Federal agencies (including CBP) currently participate in the ITDS program. The Office of the General Counsel of the Department of Energy, which enforces energy efficiency requirements for electrical appliances and equipment, joined this year. All agencies required to participate in ITDS by the SAFE Port Act[8] have joined the program. While some agencies have a well developed plan for automating their business processes and have completed preparations to receive and use data, other agencies are at an earlier stage of planning.

Interagency Operations Plans and Agreements

Most agencies participating in ITDS must develop a plan ("Concept of Operations") describing how the agency will operate when ITDS is implemented. That plan is reviewed by CBP and ultimately agreed to by both CBP and the agency. Work on a number of agencies' Concept of Operations plans is still uncompleted. (A table showing the status of agency Concept of Operations plans can be found in the Appendices to this report.)

Agencies participating in the ITDS also agree on a Memorandum of Understanding (MOU) with CBP specifying in detail the information that an agency expects to receive through ACE/ITDS. In addition, some agencies also develop, with CBP, separate MOUs laying out the details for cooperative operations with CBP. (A table outlining the status of work on each MOU can be found in the Appendices to this report.)[9]

[8] For a more detailed description of the SAFE Port Act provisions related to ITDS, see page 14 of the 2007 Report to Congress on the International Trade Data System at the ITDS website http://itds.gov/xp/itds/toolbox/library/.

[9] For more information on Concept of Operations papers and MOUs see http://www.itds.gov/.

Standard Party Identifiers - DUNS Numbers

A critical step in building a "single-window" filing system is harmonizing agency data requirements. One facet of data standardization involves "party identifiers," the identification numbers used to identify persons and firms. Several Federal agencies require traders to identify themselves or the entities with whom they are trading by using agency-created identification numbers. Due to these different agency requirements, an importer may be required to report several different identification numbers, one for each government agency regulating the transaction. Government-created identification systems have had problems with duplicate or inactive numbers and out of date information.

Many of these problems could be mitigated by utilizing commercially maintained systems for identifying businesses, such as the DUNS Number (Dun and Bradstreet Universal Numbering System). The DUNS Number system has wide coverage in many parts of the world, and significant resources are invested in keeping the DUNS database updated. The World Customs Organization (WCO) recognizes the DUNS Number as an acceptable identifier in its WCO Customs Data Model and DUNS claims to be ready to assign numbers to businesses or organizations throughout most of the world.

The DUNS Number system is already used to identify entities for other U.S. Government functions (for example government procurement) and provides other distinct advantages. There is one unique number for each physical location or business division, which is particularly useful for security and safety concerns. The DUNS Number itself is in the public domain so privacy issues are mitigated, and DUNS also registers new traders at no cost. DUNS links current firms to closed or merged firms, which helps limit evasion of tax or other legal responsibilities by those who might try to assume multiple identities, and maintains "'crosswalks" or links to other numbering systems. In 2006, the ITDS Board of Directors recommended that CBP and the other participating government agencies accept the DUNS Number as an alternative identifier for ACE transactions. Work is now underway to catalog agency interest, including current uses, to this approach.

Product Identification and Classification Codes

Another area with potential for reducing costs is the standardization of product identification and classification codes. Several agencies require traders to provide a product classification code, in addition to a tariff number, in order, to categorize imported products more precisely (tariff codes are inadequate for many agencies' purposes particularly those related to product purity and safety). ITDS agencies are exploring opportunities to use international product classification codes so that traders would not be required to report multiple codes for the same product, which would also reduce the cost to the government of maintaining multiple code systems.[10]

[10] Agencies also endeavor to use standard codes already adopted by industry wherever possible. OMB Circular A-119 directs agencies to use voluntary consensus standards in lieu of government-unique standards except where inconsistent with law or otherwise impractical.

The identification of specific products using a globally unique product number known as the Global Trade Item Number (GTIN) also has cost saving potential. Because a GTIN (known to consumers as the Universal Product Code (UPC)) can be linked to details about the individual product one GTIN number may be all a trader would need to report, rather than requiring traders to report several data elements in order to adequately describe a product.

ITDS agencies have created a draft implementation guide that outlines how these product codes could be used in import transactions. The guide has been shared with the trade community and comments have been gathered. Several ITDS agencies have been conducting three pilot tests to assess the approach. One test involving toys has been completed and the Consumer Product Safety Commission is evaluating the results. The other tests will involve cut flowers and meat products.

BUDGET ISSUES

Funding Sources

The two sources of funding for ITDS capabilities in the ACE system are the ITDS program budget, a component of CBP's Automation Modernization appropriation, and funding from agencies in the ITDS program which would be transferred from specific agencies to CBP via an interagency agreement. In addition, some agencies participating in ITDS are developing plans for, and must fund, their own automated systems that will interface with ACE/ITDS.

Cost Allocation

As with any joint agency project, the determination of funding responsibilities can be a difficult issue. In order to clearly delineate the funding responsibilities of the participating agencies, the following funding assumptions have been developed and employed:

1) If participating agency requirements are included in the core set of CBP requirements, then the resulting capabilities would be provided to ITDS agencies at no cost to agencies or the ITDS program,
2) If requirements are shared by more than one agency, the cost of the resulting ACE capabilities would be borne by the ITDS program, and
3) The cost of agency unique requirements would be born by the agency.[11]

Funding Levels for ITDS

The ITDS account, part of CBP's IT budget, currently has $36.5M in "no-year money." A relatively small portion of that should cover expenditures for the three ITDS priorities currently being pursued by Commissioner Bersin. Work such as enhancing export functionality, or using system-to-system communication functionality to transfer manifest data may also be done relatively inexpensively.

Additional funds are likely to be needed, however, to build functions that have been contemplated for Cargo Release. This phase of the ACE project involves functions related to admissibility, which is of importance to a number of ITDS agencies, particularly those with import safety missions. The funds currently in the ITDS budget will not be sufficient to fund development of all the "shared requirements" envisioned by participating agencies. It is therefore critical that the remaining resources are applied to the priority projects identified by the ITDS Board of Directors, in association with CBP.

[11] "Requirements essential to ACE core functionality, including CBP-specific requirements, requirements shared by CBP and other agencies, and the common user interface for ITDS, are funded directly by the CBP Modernization program. The requirements that are common to multiple agencies, but are not specifically CBP requirements will be funded by the ITDS Board using CBP Modernization Automation funding earmarked for ITDS. Finally, agencies will fund any modifications to agency systems or processes undertaken to integrate with ITDS, as well as the cost of any agency-unique requirements in ACE." FY 07 OMB 300 for ITDS.

Achieving the ITDS vision is most likely to be accomplished through the development of concrete, realistic plans building on the deployment of ACE functions and on other automated initiatives. Further, there are efficiencies to be obtained by using automated tools that already exist. For example, the prototype imaging capability that CBP deployed is based upon technology originally developed for another purpose. ITDS agencies are beginning to use targeting functionality already existing in CBP's Commercial Targeting and Analysis Center (CTAC). The existing Automated Export System and AESDirect are tools already deployed and in use by the government and the private sector. Enhancing these systems appears to be the quickest and most cost-effective approach to meeting ITDS agencies export function requirements.

International Trade Data System (ITDS) Program Financial Summary

Description	2001-2005 *(Actual)*	2006 *(Actual)*	2007 *(Actual)*	2008 *(Actual)*	2009 *(Actual)*	2010 *(as of 9/30/10)*	2011 *(Planned)*
ITDS Program Budget:							
• Budget Appropriation	$ 43,578,120	$ 15,840,000	$ 16,000,000	$ 16,000,000	$ 16,000,000	$ 16,000,000	$ 16,000,000
• Balance Carried Forward *(from prior FY)*	$ -	$ -	$ 61,627	$ 11,051,593	$ 5,249,163	$ 18,583,069	$ 36,516,069
• Other *(De-obligation from prior year ITDS Support Contractor contract)*				$ 1,093,611	$ -	$ -	
• Other *(Reimbursement of funding (see "Other" below) available for use in FY10)*						$ 4,000,000	
Sub-Total	$ 43,578,120	$ 15,840,000	$ 16,061,627	$ 28,145,204	$ 21,249,163	$ 38,583,069	$ 52,516,069
ITDS Obligations							
• ITDS Program Office	$ 7,617,708	$ 4,362,551	$ 1,053,951	$ 1,714,120	$1,148,775	$605,000	
• ITDS Program Contractor Support – *Develop/Maintain High Level Participating Government Agency (PGA) Business Requirements*	$ 35,960,412	$ 11,415,822	$ 1,900,000	$ 10,488,390	$ 48,505	$0	
• ITDS Program Sponsored Operational Enhancements and ACE Production Support – *Develop/Deploy Operational Enhancements and Provide ACE Operating & Maintenance Support*				$ 443,086	$335,964	$ -	
• ITDS Program Sponsored Construction of PGA Requirements – *Design, Develop, and Deploy ACE Release Capabilities for Requirements Shared by Multiple PGAs*			$ 2,056,083	$ 6,250,445	$1,132,850	$ 1,462,000	
• Other – *Ultimately transferred for use in ACE development of non-PGA requirements (M1)*				$ 4,000,000		$0	
Sub-Total	$ 43,578,120	$ 15,778,373	$ 5,010,034	$ 22,896,041	$ 2,666,094	$ 2,067,000	$ -
ITDS Program Budget	$ 43,578,120	$ 15,840,000	$ 16,061,627	$ 28,145,204	$ 21,249,163	$ 38,583,069	$ 52,516,069
ITDS Program Obligations	$ 43,578,120	$ 15,778,373	$ 5,010,034	$ 22,896,041	$ 2,666,094	$ 2,067,000	$ -
ITDS Program Balance *(carried forward to next FY)*	$ -	$ 61,627	$ 11,051,593	$ 5,249,163	$ 18,583,069	$ 36,516,069	$ 52,516,069
Percentage of ITDS Budget Obligated *(cumulative)*	100.0%	99.9%	85.3%	95.5%	83.7%	70.4%	50.5%

** FY2010 ITDS funds have been transferred to Office of Trade

FY 2010 CBP EXPENDITURES OF ITDS FUNDS	
$16,000,000	FY10 Budget Appropriation
$18,583,069	Balance Carried Forward *(from FY 2009)*
$4,000,000	Other *(De-obligation return from prior year ITDS Support contract)*
$38,583,069	**Beginning FY 2010 Balance**
$600,000	Govt Salaries
$950,000	IBM – Task Order 32 ITDS
$5,000	Travel
$512,000	TASPO - Imaging
$2,067,000	**Total Obligations**
$36,516,069	**ITDS Program Balance *(carried forward to next FY)***
FY 2011 PROJECTED CBP EXPENDITURES OF ITDS FUNDS	
$16,000,000	Estimated FY 2011 Budget Appropriation (**Amount not finalized**)
$36,516,069	Balance Carried Forward *(from FY 2010)*
	Other *(De-obligation return from prior year ITDS Support contract)*
$52,516,069	**Estimated Beginning FY 2011 Balance**
Commissioner Priorities	
$3,000,000	Standard Data Set (Add required data elements to import reporting messages)
$2,000,000	Technical Inter-operability (within PGA Systems)
$1,500,000	Imaging (Phase 1.5 - Interface with FDA)
$1,000,000	Imaging (Phase II - Develop capability to accept Transmission of imaged forms)
Other Planned/Projected work in 2011	
$3,000,000	Cargo Release
$100,000	Operations and Maintenance (Upkeep of ITDS.gov website, Licenses costs - i.e. "DOORS")
$605,000	Program Management (Govt Salaries and Travel)
$11,205,000	**Total Projected Estimated FY 2011 Obligations**
$41,311,069	**Projected ITDS Program Balance *(carried forward to FY 2012)***
All amounts shown here are "Rough Order of Magnitude" (ROM)	

CONSISTENCY OF ITDS WITH INTERNATIONAL STANDARDS

Benefits of International Standardization

Today, countries have different data requirements and electronic data formats for essentially similar customs processes. Standardizing these reporting requirements can reduce costs for traders, who now must use a different format for each country and invest in different software for reporting to each country. In the current environment, however, the greatest potential benefit of adopting international standards may be to enhance security. Providing a platform for customs administrations to share information and providing advance notice of risky shipments could effectively extend our enforcement perimeter beyond the border. Moreover, obtaining export data may provide a less costly alternative to requiring advance filing of import data. (Sharing of U.S. export information from the AES with other countries would require authorization from the Commerce Department.)

World Customs Organization (WCO) Data Model

The SAFE Port Act requires the ITDS Board of Directors to ensure that the ITDS data requirements are compatible with the WCO Data Model. The World Customs Organization (WCO) Data Model consists of standardized data requirements, data definitions, reporting codes[12], and "messages" for transmitting data from traders to governments.[13]

The ITDS Standard Data Set incorporates WCO standards. However, CBP has taken no concrete steps to implement the WCO standard messages within ACE. Implementation has been notionally considered as a second reporting option, to be developed after other ACE functions are completed.

[12] "Reporting Codes" relate to the reporting of particular data or information. For example, when the country of export is reported, the reporting code might be UK or MX.

[13] The WCO messages are a particular implementation of the UN/EDIFACT Customs messages (CUSCAR, CUSDEC, etc.) which are the functional equivalent of the entry, entry summary, and manifest messages currently required by CBP. The WCO messages have been agreed to by the WCO member countries, including the United States. The United States has committed to implement the WCO messages in both the WCO Framework Agreement and in G-7 communiqués.

RECOMMENDATIONS

1. **Using ITDS funding already available, CBP should finish work by the end of fiscal year 2011 on the three priority projects contained in Recommendation 2009-1.** Completing this work quickly will accelerate interagency cooperation and provide immediate benefits to both the government and the private sector.

2. **CBP should complete the necessary work for the ACE Cargo Release business case by the spring of 2011.**

3. **By the summer of 2011, CBP, Census, and other appropriate agencies should examine the potential for enhancing the Automated Export System to provide functionality for additional ITDS agencies, including a detailed examination of ITDS agencies export requirements.** Introducing enhancements to these systems could have minimal impact on ongoing work in the import systems.

4. **CBP should use the functionality developed for system-to-system communication to transmit data CBP already collects to other ITDS agencies.** This will enable agencies to obtain data that supports their mission objectives without waiting for further deployment of additional ACE functionality.

Progress on 2009 Recommendations

Recommendation 2009-1: CBP should immediately add data elements required by other agencies to the major import reporting messages (manifest, entry, entry summary).
Result: Significant progress has been made.

Recommendation 2009-2: CBP should develop the capability to accept transmission of "imaged" forms (such as .pdf files) which may currently only be submitted on paper.
Result: Substantial progress has been made.

Recommendation 2009-3: CBP should complete its plans for ITDS and make decisions related to the technical interoperability with other agencies' systems, in order to allow other agencies to continue with their plans for using ITDS and investing in automated systems to work with ACE/ITDS.
Result: CBP has completed work on its Concept of Operations for operating in the ITDS framework. Adequate progress has been made toward establishing and testing standards for exchanging data between systems.

Progress on 2008 Recommendations

Recommendation 2008-1: The ITDS Board of Directors should ensure adequate resources are devoted to completing the harmonization of agency data requirements.
Result: Adequate progress has been made.

Recommendation 2008-2: CBP should make all import data it currently collects electronically available to agencies through the ACE Portal.
Result: No additional data has been made available.

Recommendation 2008-3: CBP and the other participating government agencies should use a widely accepted standard identifier, such as the DUNS Number as an alternative to identify parties in ACE transactions and CBP should build that capability into ACE in order to reduce the reporting burden on traders, obtain more accurate and complete identification of parties to international trade transactions, and enhance compliance, security, and safety.
Result: More agencies are considering use of the DUNS Number.

Recommendation 2008-4: Agencies participating in ITDS that require product codes should strive to use standard product codes based wherever possible on commercial or other consensus standards in compliance with OMB Circular A-119.
Result: Some agencies are exploring using the GTIN as a product identifier.

Recommendation 2008-5: The ITDS Board of Directors should be directly represented in the appropriate bodies making decisions regarding the ACE schedule and priorities.
Result: No action taken.

Recommendation 2008-6: To enhance the effectiveness of the OMB E-Government tracking of agencies' plans to implement interfaces to ITDS, the dates associated with the milestones for those plans should be adjusted to reflect changes in the ACE schedule. To make the monitoring more accurate and effective milestones should be set and tracked at the component-agency level while maintaining accountability at the department level.
Result: OMB adjusts the milestones dates to reflect ACE schedule changes.

Recommendation 2008-7: The ITDS Program Office and the ACE Team should ensure that agencies' requirements for data, data processing, and communication are fully documented and tracked (in a manner transparent to ITDS agencies and the ITDS Board of Directors) throughout the development and implementation process. Particular attention should be paid to the handoff from the ITDS Program Office to other ACE entities that will implement agency functionality.
Result: ITDS requirements are now stored in DOORS, an appropriate repository tool.

Recommendation 2008-8: The ITDS Program Office should take the lead in establishing a Board within CBP to review MOUs and Concept of Operations plans and to establish a schedule for review of those documents. Such Board should include the appropriate CBP Headquarters staff. The ITDS Program Office working with each agency should identify responsible persons in those agencies to meet with this Board as appropriate.
Result: CBP has published the CBP ITDS Concept of Operations to be used as the foundation for Cargo Release processes decisions. CBP has established a Board to review Memoranda of Understanding and Concept of Operations plans.

Recommendation 2008-9: CBP should implement in ACE the ability to report transactions in a manner consistent with the WCO Data Model international standards.

Standardization can reduce costs for traders and facilitate security cooperation between governments.
Result: No action has been taken.

Progress on 2007 Recommendations

Recommendation 2007-1: In 2007, we noted that several new agencies joined ITDS after the SAFE Port Act was enacted in October 2006, but that agency participation in ITDS had been uneven and that, although agencies are able to obtain detailed import information through the ACE Portal, not all agencies are taking full advantage of that information. *We recommended that agencies, particularly those with an import safety mission, should accelerate development of plans for their participation in ITDS in order to take full advantage of ITDS capabilities.*
Result: OMB directed agencies to participate in ITDS. While all agencies required to join did so, participation remains uneven.

Recommendation 2007-2: *We recommended that the ITDS Board of Directors should ensure that a Standard ITDS Data Set is established by January 1, 2008.*
Result: See Recommendation 2008-1 above.

Recommendation 2007-3: In 2007, we noted that development of the ITDS program requires the involvement of the appropriate policy and operational offices of all agencies. *We recommended that agencies realign resources to accommodate the increasing ITDS workload and that the ITDS Board of Directors and OMB should take steps to ensure that agency participation is adequate and that ITDS Project Team resources are focused on the development of the ITDS IT infrastructure.*
Result: The ISWG recommendations and OMB mandates spurred participation in ITDS, but participation remains uneven.

Recommendation 2007-4: *We recommended that agency legal offices (including CBP) engage in drafting MOUs so that work on these documents is accelerated.*
Result: Initial progress has been made. MOUs were split into a Data MOU and an operational /policy MOU in order to prevent policy/operations issues from delaying work on the data interchange system. Some work on MOUs still lags.

Recommendation 2007-5: *We recommended acceleration of plans to add all import information currently reported electronically to CBP to the ACE "Data Warehouse" so that it could be accessed by agencies through the ACE Portal.* The ISWG made the same recommendation and OMB directed CBP to proceed.
Results: CBP explored this action but decided not to proceed. CBP is considering making some data already collected available to some agencies through ACS, CBP's current processing system.

Recommendation 2007-6: *We recommended Implementation of software to limit users to specified classes of data, in order to control access to data and to limit the expensive higher-level security clearances required for wide access to data.*
Results: Access control software, or security filters, have not been implemented, and therefore, all agency personnel are required to obtain full background investigations in order to obtain access to the ACE Portal. The cost and time required to obtain these clearances have limited some agencies' use of ACE.

Recommendation 2007-7: *We recommended accelerated implementation of World Customs Organization Data Model messages (international standard for customs reporting) in order to:*
Reduce costs for traders by promoting a single international format for communicating to replace each country's different electronic communication protocols, and facilitate exchange of data between authorities for enforcement cooperation and to extend our enforcement perimeter beyond our border. Implementation of the WCO Data Model is also an ISWG recommendation, an OMB mandate, and a requirement of the SAFE Port Act.
Result: No concrete steps have been taken to implement the WCO standard messages within ACE. CBP took steps to examine the cost of implementing WCO Data Model standards alongside the legacy standards currently being implemented in ACE, but this work has not been completed.

Recommendation 2007-8: *We recommended that ITDS Agencies should determine which edits are critical for their purposes and provide timely input to the ACE development team.*
Result: After review by the Commerce Department, the International Trade Commission, and the private sector, some edits originally scheduled to be dropped from production have been reinstated.

Recommendation 2007-9: *In 2007, we noted that some features to be used by ITDS agencies that were scheduled to be implemented had been delayed and recommended that ITDS Board of Directors be directly represented in bodies making decisions regarding the ACE schedule.*
Result: The ITDS Board of Directors is not represented in the CBP bodies making decisions regarding ACE priorities and schedules.

Recommendation 2007-10: *We recommended that the ITDS Board of Directors continue to closely track program expenditures to ensure charges lead directly to delivery of IT capabilities, and that those capabilities are delivered on schedule.*
Result: The ITDS Board of Directors is monitoring expenditures and delivery.

Recommendation 2007-11: *We recommended that agencies participating in ITDS ensure their capital planning and investment control processes incorporate plans for utilizing ITDS.*
Result: OMB has instituted a tracking procedure of agency progress. The tracking exercise has focused attention on ITDS and further coordination is underway between OMB, ITDS agencies, and CBP to enhance the effectiveness of each agency's implementation plan and milestones.

Agency Plans and Status

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Agricultural Marketing Service (AMS) - USDA

ITDS Related Mission

The Agricultural Marketing Service (AMS) inspects certain imported fresh and processed fruits and vegetables, poultry, and tobacco products to verify that they meet the same quality and condition requirements as domestic products. Importers of fruits and vegetables that fail to meet quality and condition requirements are subject to AMS penalties.

Under a Memorandum of Understanding with FDA, AMS also inspects certain processed products to verify that contaminants in foods are within FDA tolerances.

AMS tracks and publishes current information on agricultural imports and exports by commodity.

AMS assesses fees that CBP collects on imported products that are covered by Federal research and promotion programs.

Planned Data Exchange

Unscheduled - M2.3 (Originally 6/2009) – The following functionality is assumed to be delivered:

- ACE will notify AMS prior to release of shipments requiring AMS inspection, the inspection location chosen by the importer, and relevant admissibility decision of other agencies (e.g., FDA, APHIS, and FSIS determine admissibility before AMS inspects),
- AMS will provide inspection results directly from AMS Access databases and Excel files to ACE via portal batch upload that will allow CBP to liquidate the entries,
- AMS will generate ACE Portal reports on AMS-regulated commodities released by CBP to verify that shipments were presented to AMS for required inspections,
- AMS will also use the ACE Portal to obtain information from importers (entry summary data) including prices, volume, quality, and condition in order to generate data for statistical purposes, license dealers, and enforce quality requirements, and
- AMS will provide ACE with permit information for exempted commodities and notify CBP which shipments are exempt from inspection or from research and promotion fees.

Status

As of August 2009, AMS had 38 people who have access to the ACE Portal, but because there are limitations on the volume of data that is available through the ACE

Portal, AMS is currently also using a weekly download of data from ACS on agriculture imports which it uses to verify compliance with AMS inspection requirements.

The AMS Concept of Operations was approved by CBP in May 2008, but subsequent review sessions held with the ACE Cargo Control and Release team has resulted in changes to seven AMS cargo release processes that may require subsequent modifications in the AMS Operational Memorandum of Understanding.

AMS has drafted a Data Memorandum of Understanding and met with a CBP attorney to discuss it. Further progress on the Data Memorandum of Understanding awaits agreement by CBP attorneys and AMS on the Reimbursement Agreements for AMS assessment fees collected. Final clearance of AMS' data Memorandum of Understanding has been in review at CBP.

Animal and Plant Health Inspection Service (APHIS) - USDA

ITDS Related Mission

The Animal and Plant Health Inspection Service (APHIS) regulates the import and export of animals, plants, or their products. It conducts pre-clearance, arrival, and export inspections, and can quarantine products. APHIS certifies foreign processing establishments, and oversees treatments such as fumigation and refrigeration.

APHIS can prohibit entry of animals, plants, or their products that:

- Do not meet health or phytosanitary standards,
- Do not have appropriate import permits from APHIS, or
- Do not have foreign government health or phytosanitary certifications.

APHIS establishes policy for and provides guidance to CBP Officers and CBP Agriculture Specialists in their effort to prevent the entry of potential threats to American agriculture.

Planned Data Exchange

Currently, APHIS acquires data through direct access to CBP systems and requests CBP to hold shipments when APHIS determines it appropriate to do so.

APHIS has developed its "ePermits" system, a web based tool through which traders may apply (and receive approval) on-line for more than a dozen APHIS permits, both plant and animal. Permit information is stored in databases that will provide information to ACE to support decision making when determining the admissibility of APHIS regulated commodities.

APHIS plans to use data supplied by carriers (manifest) and importers (entry/entry summary) from ACE to:

- Select shipments for examination,
- Confirm that import and export permits and certificates are valid,
- Determine admissibility of regulated commodities,
- Monitor collection of user fees,
- Monitor movement of regulated shipments to approved processing facilities or to a port of export, and
- Manage risk through research and analysis of the ACE data warehouse.

Many of these functions will be implemented through system-to-system interfaces between ACE and existing or planned APHIS systems. ACE will thus provide both real-time information to APHIS and the capability for APHIS to communicate to CBP border control personnel. APHIS will also have access to stored information via the ACE Portal.

Unscheduled - M2.3 (Originally 6/2009) – APHIS will either use permit information reported to ACE by APHIS via system-to-system interfaces or ACE will query an APHIS system to determine if individual importations meet APHIS licensing requirements.

APHIS will have the capability to monitor payment of Agricultural Quarantine Inspection user fees.

Unscheduled - M1 (Originally 10/2008) – APHIS will be able to request that suspect shipments be held on the basis of rail or sea manifest information; it will also monitor authorized movements of APHIS regulated commodities.

Unscheduled - M2.3 (Originally 6/2009) – APHIS will be able to use ACE to identify and monitor:

- Imports that are regulated by APHIS,
- Imports that originate from restricted countries, and
- Expired or otherwise improperly used import permits.

Unscheduled - M3 (Originally 2011) – APHIS will be able to access export information to monitor regulatory compliance with export shipment requirements.

Status

APHIS has completed and submitted to CBP its Concept of Operations, and a Memorandum of Understanding between APHIS and CBP is being drafted. APHIS has 124 people who have access to entry/entry summary data through the ACE Portal reporting capabilities.

The APHIS Concept of Operations version 3.0 was submitted to CBP on June 18, 2009. Formal CBP approval was given on November 9, 2009.

Version 3.0 of the APHIS Concept of Operations included the addition of several "To-Be" Business Processes, one of which address agency responsibilities resulting from new Lacey Act import declaration requirements contained in the Food, Conservation, and Energy Act of 2008.

Next Steps

Complete both a Data and an Operational Memorandum of Understanding with CBP.

Foreign Agricultural Service (FAS) - USDA

ITDS Related Mission

The Foreign Agricultural Service (FAS) administers Tariff Rate Quotas (TRQ) for sugar and dairy imports. FAS issues import licenses for sugar and dairy products. The dairy licenses are processed electronically through FAS's Dairy Accelerated Importer Retrieval and Information Exchange System (DAIRIES) and the sugar licenses through the Sugar Users Group Accounting and Reporting System (SUGARS). Some sugar tariff-rate quota entries are processed via paper forms. FAS administers Harmonized Tariff Schedule General Note 15 letters of waiver from agricultural import quotas, an export sales reporting program for certain agricultural commodities, and economic safeguards (tariff increases) for imports of agricultural products.

FAS currently has access to ACS to edit TRQ data.

Planned Data Exchange

FAS will enter/update overall quota limits for various dairy and sugar TRQ import programs, as well as enter/update quota amounts for specified importers. CBP will use this quota data in order to assess the appropriate tariff rate on dairy and sugar imports.

FAS will also receive daily entry data in order to update FAS's DAIRIES and SUGARS data systems. The DAIRIES and SUGARS systems are accessed by the trade for up-to-date entry information.

FAS will receive other data from ACE (the Weekly Commodity Status Report) which will be used for compiling the Dairy Monthly Circular Report.

FAS will also receive monthly import data in order to monitor imports subject to safeguard quota restrictions and to generate monthly internal reports.

Lastly, when FAS invokes safeguard quota restrictions for a commodity, the Harmonized Tariff Schedule quota in ACE will be updated appropriately.

Status

Much of the FAS interaction with CBP on import processing is already automated. FAS has described their "As-Is" business process texts and diagrams.

FAS has seven staff members with access to the ACE Portal. FAS joined ITDS in May 2007.

FAS finalized their Standard Data Set and submitted it to the ITDS Data Harmonization Team on April 8, 2009.

FAS has initiated development of their Concept of Operations. "As-Is" Business Processes have been incorporated and "To-Be" Business Processes are under development.

Next Steps

FAS must complete a Concept of Operations for review by CBP.

FAS must draft a Memorandum of Understanding for review by CBP.

Food Safety and Inspection Service (FSIS) - USDA

ITDS Related Mission

The Food Safety and Inspection Service (FSIS) regulates the import and export of meat, poultry, and egg products, performing four primary functions that affect international trade:

1. Determines equivalence of foreign food safety and inspection programs as a condition of eligibility to export meat, poultry, and egg products to the United States, which includes acceptance of the foreign governments' certification for foreign establishments that comply with U.S. requirements,
2. Performs periodic audits of eligible foreign inspection systems,
3. Inspects imported meat, poultry, and egg products at U.S. ports of entry, and
4. Certifies U.S. meat, poultry, and egg products for export from the United States.

Planned Data Exchange

Unscheduled - M2.3 (Originally 6/2009) – ACE will provide FSIS with real-time data and will provide the ability for FSIS to communicate with CBP and other regulatory agencies to ensure adequate control of shipments. Specifically, ACE will:

- Provide FSIS electronic prior notification of arriving shipments of imported meat, poultry, and egg products,
- Provide FSIS online access to Customs entry data for arriving shipments in order to verify that shipments are eligible and if so, are presented for FSIS reinspection immediately after clearing the Customs entry process,
- Automate verification of entries with APHIS and FSIS inspection decisions so that CBP does not release any shipments from bond without first verifying the completion of required regulatory inspections, and
- Establish a regulatory chain of custody to ensure that shipments are routed to the appropriate regulatory agencies for inspection to ensure all sequential regulatory clearances prior to release of product.

On an interim basis, FSIS will continue to use the ACE Portal (entry summary data) to monitor shipments under its jurisdiction.

Status

FSIS relies on access to ACE Portal reports to determine:

- Whether shipments subject to FSIS jurisdiction have entered from ineligible countries or establishments,
- Ports-of-entry of noncompliant shipments,
- Importer of Record and Consignee for noncompliant shipments, and
- Detention action taken by FSIS or redelivery actions taken by CBP.

As a result of ACE Portal access, the amount of ineligible product detected, detained, and either removed from commerce or returned to FSIS for reinspection increased almost 30 fold -- from 97,000 to 2.87 million pounds between FY 2005 and FY 2006.

In FY 2007, FSIS removed almost 2.04 million pounds of ineligible products from commerce. During FY 2008, FSIS removed 3.68 million pounds of ineligible product. In FY 2009, FSIS removed 1.87 million pounds of ineligible products from commerce and in FY 2010, FSIS removed 1.09 million pounds of ineligible products from commerce.

In 2007, FSIS awarded a contract to develop their Public Health Information System (PHIS) which will modernize several applications involved in their ITDS-related missions. PHIS is on schedule to deploy in production 2011, including electronic exchange of certification data on individual shipments with Australia and New Zealand. As a result of the ACE/ITDS delays for Cargo Control and Release (M 2.3), importers will file their inspection application directly with FSIS through the PHIS as an interim solution until the PHIS can interface with ACE.

As a result of defining the PHIS functional requirements, review by CBP's Office of Trade and Office of Field Operations and requirements gathering workshops involving the ACE Cargo Release and Control team, the FSIS Concept of Operations was approved by CBP in March 2010.

FSIS has drafted a Memorandum of Understanding for Data Exchange in consultation with CBP attorneys. The Memorandum of Understanding has been approved by FSIS and the Agriculture Department's Office of General Counsel. FSIS is prepared to sign the MOU, pending approval by CBP.

In 2010, FSIS initiated a pilot with GS1 and several meat and poultry companies to validate the use of international product classification codes (GTIN) to provide food safety attributes for meat, poultry, and egg products imported into or exported from the United States working closely with industry, FSIS will complete this analysis in early 2011.

FSIS was 1 of 10 agencies that participated in the Import Safety Conference and was signatory to the agreement on Principles of Import Safety Coordination as well as the Memorandum of Understanding on multi-agency cooperation at CBP's Commercial Targeting and Analysis Center. FSIS provides staff support at CTAC, working closely with CBP and other agencies on import safety issues.

Grain Inspection, Packers, and Stockyards Administration (GIPSA) - USDA

ITDS Related Mission

The Grain Inspection, Packers, and Stockyards Administration (GIPSA), Federal Grain Inspection Service (FGIS) inspects grain prior to exportation. On a fee-for-service basis, GIPSA (or an entity authorized by GIPSA) inspects grain exports and issues post-inspection certificates to registered exporters. Grain exporters are required to register with GIPSA. The GIPSA role is to serve as an unbiased, third-party weighing and inspection entity that provides buyer and seller accurate information about the quality and quantity of grain (and related products) that is traded.

All exporters who intend to export more than 15,000 metric tons of grain in a calendar year must be registered by FGIS. This is done electronically on the internet through our "*FGIS OnLine*" application. FGIS maintains a list of all registered grain exporters as required under the USGSA. All inspection, testing, and weighing information is entered into FGIS' Inspection Data Warehouse (IDW). Encrypted data files and PDF documents are transmitted to the exporter who then forwards them to other interested parties. FGIS provides weekly summarized export data to the grain trade, AMS, FAS, ERS, and CIA. FGIS uses the data to prepare reports for Congress, FAS and other U.S. Government agencies. Our overseas customers (importers) can use *FGIS OnLine* to validate the authenticity of their paper certificates by providing key data elements from the certificate.

Planned Data Exchange

Data received through ACE/ITDS could provide GIPSA with information related to people/companies involved in the sale and exportation of U.S. grain for verification purposes.

Status

GIPSA joined ITDS in June 2007 and completed their Functional Assessment and documented their "As-Is" business processes in August 2007. The GIPSA Standard Data Set has been finalized and was submitted to the ITDS Data Harmonization team on November 3, 2008.

Bureau of Industry and Security (BIS) - Commerce

ITDS Related Mission

BIS administers the Export Administration Regulations, which set forth license requirements and licensing policy for the export of dual-use items. Dual-use commodities are items which have chiefly commercial uses, but also can be used in conventional arms or weapons of mass destruction applications, terrorist activities, or human rights abuses. BIS has primary responsibility for implementing U.S. export control policy on dual-use commodities, software, and technology.

BIS maintains the Export Control Classification Numbers (ECCN) on the Commerce Control List (CCL). This number helps exporters understand whether their exports require licensing.

BIS issues export licenses (generally valid for two years) for select items on the CCL. Exporters apply for a license using either the BIS on-line system (Simplified Network Application Process Redesign (SNAP-R)) or in limited circumstances a paper form (BIS 748P).

BIS also has responsibilities for enforcing the Export Administration Regulations.

Planned Data Exchange

While a complete plan for data exchange has not been developed because development of ITDS export functions is still several years away, BIS does use the ACE Portal for some purposes.

Status

BIS now has access to the ACE Portal and uses it to extract account related data and entry summary data to assist in gathering evidence that supports criteria in conducting foreign availability assessments with respect to the export control program.

Implementation of export functionality is still several years away.

BIS joined ITDS in May 2007.

Census Bureau - Commerce

ITDS Related Mission

The Census Bureau collects merchandise import and export data from various sources in order to compile the official U.S. merchandise trade statistics. The data are used for research and planning, economic analysis, analysis of trade and transportation flows and trends, and transportation infrastructure planning, as well as for assessing the effectiveness of U.S. trade policies and agreements. The Census Bureau also currently maintains the algorithms that "validate" data in the Automated Export System (AES), the Automated Commercial System (ACS), and the Automated Commercial Environment (ACE) to ensure that the data are accurate and complete. For example, the Census Bureau checks to ensure that reported information is reasonable.

Planned Data Exchange

The Census Bureau has access to data filed into ACE by importers (entry/entry summary data), and will have access to exporter (AES), carrier (manifest), and Foreign Trade Zone (admissions) data, all of which it will use to compile foreign trade statistics. The Census Bureau maintains automated data validations in ACE, and has a system-to-system interface for sending and receiving large data and reference files. The Census Bureau uses the ACE Portal to create customized reports.

The Census Bureau will have access to and maintain reference files in ACE. Lack of access has affected data in both ACS and ACE since both systems use the reference file in ACE and has adversely affected some statistics.

April 12, 2009 - A2.2 (Originally 10/2008) – The Census Bureau is already able to create customized reports on import transactions essential to its statistical mission. Additional reports related to Census warnings were also delivered.

April 12, 2009 - A2.2 (Originally 10/2008) – Census has access to data on consumption and informal entries through the ACE Portal and through a system-to-system interface. The Census Bureau began extracting data in April 2009 and is now receiving approximately 40,000 entry summary line items per month. Importers have the ability to respond to or proactively provide override codes to prevent Census Bureau warnings that data provided are outside expected norms. ACE implemented Census Bureau validations for entry summary filings. Census can extract entry summary data from the ACE Portal.

Unscheduled - A2.3.1 (Originally 10/2007) – Census will supply validation parameters for the Harmonized Tariff Schedule through ACE.

Unscheduled - A2.3.2 (Originally 6/2010) – Census will have access to remaining entry types. ACE will implement Census Bureau validations for Foreign Trade Zone admission filings. Census will be able to extract additional entry summary data from the ACE Portal.

Unscheduled - M1 (Originally 6/2009) – Census will have access through the web-based ACE Portal to vessel and rail manifest data for research and analysis.

Summer 2010 - M2.1 (Originally 6/2009) – Census will have access to air manifest and entry data for research and analysis.

Unscheduled - M3 – Because the Census Bureau is the agency with primary authority to collect much of the export data collected, it will play a critical role in shaping requirements for the export module of ACE.

Status

- The Census Bureau Concept of Operations has been agreed to by CBP.
- The current Census Bureau Memorandum of Understanding is sufficient for implementing the Census Bureau's data validations (August 2007), but amendments to the existing Memorandum of Understanding will be required to address security requirements.
- The Census Bureau and CBP continue to discuss changes to the draft Memorandum of Understanding in order to address the needs of both agencies.
- The Census Bureau has 20 staff with access to the ACE Portal.
- The Census Bureau currently uses ACE to run reports on the imports of specific commodities.
- The Census Bureau is editing and extracting summary data from ACE, although it is limited to the edits it had in ACS. It is working with CBP and its contractors to build the Harmonized Tariff System in ACE.

Next Steps

The Census Bureau and CBP must finalize the ACE Memoranda of Understanding.

Restore access to update Census Bureau reference files in ACS and ACE.

Foreign-Trade Zones (FTZ) Board - Commerce

ITDS Related Mission

The Foreign-Trade Zones (FTZ) Board licenses, regulates, and monitors the activity of foreign-trade zones (FTZ) in the United States. FTZs are designated sites authorized under the Foreign Trade Zone Act where certain customs procedures apply which may result in avoidance, deferral, or reduction of duties. The FTZ Board must approve a zone before CBP activates a zone (i.e., permits the use of FTZ procedures).

The FTZ Board will monitor zone activity and also must report to Congress annually on zone operations. CBP enforces the provisions of the FTZ Act.

Planned Data Exchange

The FTZ Board currently maintains in ACE, using the ACE Portal, files on zones including name, zone number, subzones, subzone sites, details about permitted activities in the zone, date of FTZ Board approval, and information about zone grantees. CBP officers access this information through the ACE Portal and activate a zone or subzone through ACE. Some of the information is also available (through the ACE Portal) to members of the trade community and other government agencies. Key fields of these data such as the zone number will be used in ACE to corroborate data reported in various electronic customs transactions.

In the future, FTZ Board staff will also use the ACE Portal to monitor zone activity to compile reports that will include data on zone admissions, entries from zones, exportations from zones, and in-transit movements.

Status

The FTZ Board Concept of Operations has been agreed to by CBP. The FTZ Board and CBP are discussing a draft Memorandum of Understanding. FTZ Board has two staff members with access to the ACE Portal.

September 2007 – FTZ Board began entering zone and subzone information via the ACE Portal for CBP and the business community to use as a reference. This information will also be used for future validation of zone numbers reported in transactions.

February 2008 – FTZ Board completed entering existing zone/subzone account information in ACE and began maintaining and updating the information.

Unscheduled - A2.3 (Originally 10/2008) – FTZ Board will be able to monitor entry summary information filed for merchandise moving into U.S. consumption from an FTZ in order to monitor zone activity.

Unscheduled – The FTZ account structure was only partially completed in September 2007. As a result of this incomplete account structure, FTZ Board staff cannot assume responsibility for entering specific zone site information into ACE. As a work around,

CBP port staff must enter site information in consultation with the FTZ Board staff, adding time and complexity to the process.

Unscheduled - M2.3 (Originally 10/2008) – FTZ Board will have access to zone admission data to monitor zone activity.

Next Steps

FTZ Board and CBP must finalize the appropriate Memoranda of Understanding (Data and Operational).

Completion of the FTZ account structure in ACE, which will allow the FTZ Board to be able to enter zone site information in the ACE Portal for use by CBP and the business community.

Import Administration (IA) - Commerce

ITDS Related Mission

The Import Administration (IA) administers laws involving antidumping and countervailing duties (AD/CVD). As part of this responsibility, IA sets AD/CVD duty rates and provides CBP with liquidation instructions on entries subject to AD/CVD.

IA also develops and implements other trade programs including sector-specific agreements and programs. IA sets absolute and tariff rate quotas as part of the Textiles and Apparel Program.

Planned Data Exchange

IA will continue to provide instructions to CBP regarding duty deposit rates and liquidation instructions related to AD/CVD cases. IA will maintain information in ACE with respect to AD/CVD duty rates by country, manufacturer, and product. At some time, IA expects to be able to regularly extract from the ACE Portal large volumes of data (particularly entry summary data) via data queries and reports.

April 12, 2009 - A2.2 (Originally 10/2008) – IA has access to information on informal and consumption entry summary data for research and analysis through the ACE Portal.

February 14, 2010 - A2.3.1 (Originally 10/2008) – IA will use the ACE Portal to maintain the case reference files containing detailed AD/CVD case and related information.

Unscheduled - M1 – IA will have access to rail and sea manifest data and in-bond shipment data through the ACE Portal.

Unscheduled - A2.3.2 and A2.3.3 (Originally 6/2010) – IA will have access through the ACE Portal to data on all entry summary types for research and analysis.

Status

Given the launch of the A2.3.1 (Entry, Summary, and Accounts Revenue) on February 14, 2010, and the continued use of the AD/CVD portion by IA, a ConOps is no longer necessary to submit to CBP. The Operational and Data Memoranda of Understanding continues to be reviewed and discussed with CBP.

Currently, there are more than 50 IA staff members who have access to the ACE Portal.

Next Steps

IA must finalize the appropriate Memoranda of Understanding (Data and Operational) with CBP.

CBP to include AD/CVD entries in the ACE Data Warehouse.

Enhancements to ACE Case reference file to be implemented.

National Marine Fisheries Service (NMFS) - Commerce

ITDS Related Mission

The National Marine Fisheries Service (NMFS) regulates the importation and exportation of certain fish such as swordfish, tooth fish, and tuna in order to promote the management, conservation, and protection of marine resources.

NMFS uses information on imports to identify illegal importations or exportations of fish, and to assist in its investigations of illegal fishing or related violations.

Planned Data Exchange

NMFS plans to provide data to CBP to allow ACE to:

- Select shipments for examination, and
- Confirm that import and export permits and certificates are valid.

NMFS plans to use data obtained through the ACE Portal to:

- Determine admissibility of regulated commodities, and
- Manage risk through research and analysis of the ACE data warehouse.

ACE will provide real-time information to NMFS and the capability for NMFS to communicate to CBP border control personnel. NMFS will also have access to stored information via the ACE Portal.

Unscheduled M1 (Originally 10/2008) – NMFS will be able to request that suspect shipments be held on the basis of rail or sea manifest information.

Unscheduled - M2.3 (Originally 6/2009) – NMFS will use ACE to identify and monitor:

- Imports that are regulated by NMFS,
- Imports that originate from embargoed countries, and
- Expired or otherwise improperly used import permits or certificates.

Unscheduled - M3 (Originally 2011) – NMFS will eventually access export information to monitor regulatory compliance with export shipment requirements.

Status

NMFS has been participating in ACE development since February 2006. NMFS currently has 71 staff (up from 63 in 2008) who use the ACE Portal to research import information to identify instances of illegal importations, and to verify that reports on imports and exports of regulated fishery commodities have been properly filed.

NMFS submitted their proposed Concept of Operations to CBP on October 1, 2008. CBP and NMFS agreed on a Concept of Operations on July 23, 2009.

A Privacy Impact Assessment (PIA) for the NMFS Permits system was completed and published in June 2008.

A System of Record Notification (SORN) for the NMFS Permits system was published in the Federal Register on April 17, 2008, and was finalized in the Federal Register on June 11, 2008.

NMFS published an Advanced Notice of Proposed Rulemaking in the Federal Register stating that NMFS intends to require the trade to report import/export transactions electronically through ACE (Federal Register dated May 8, 2009).

Next Steps

NMFS and CBP staff have agreed on a draft ACE Data Memorandum of Understanding which is in the final stages of review at CBP. NMFS is consolidating its regional trade data bases as a prerequisite to signing an Interconnect Security Agreement and establishing a two-way data exchange with ACE.

Once connected, it is expected that ACE will validate certain admissibility criteria against NMFS reference files. The two agencies must also come to an agreement on an Operational Memorandum of Understanding for NMFS to fully realize the benefits of the ACE hold request capability and access to vessel and rail manifest information that will be available with M1. NMFS is reviewing internal procedures with an aim to establish a decision framework for requesting holds and responding to shipments held by CBP at the border, and to address disposition of shipments that are determined to be inadmissible. NMFS is preparing a proposed rule to consolidate existing blanket permits for importing/exporting certain seafood commodities, and to expand the scope of the permit requirement to include additional commodities subject to import monitoring programs.

Defense Contract Management Agency (DCMA) - Defense

ITDS Related Mission

The Defense Contract Management Agency (DCMA) is an agency within the Department of Defense (DOD).

As DOD's contract manager, DCMA is responsible for ensuring Federal Acquisition programs (systems, supplies, and services) are delivered on time, within projected cost or price, and that they meet performance requirements.

With regard to imports of defense materiel, DCMA:

- Acts as customs broker for the DOD for goods being shipped into the United States to DOD activities, and
- Receives requests and issue certificates for duty-free entry on items being delivered to DOD contractors to be consumed in performance of DOD contracts.

Planned Data Exchange

Currently, DCMA works with CBP to facilitate the import and export of DOD contracts' related articles and services**.** A plan for data exchange via ACE has not been developed.

Status

DCMA joined ITDS in June 2008.

Next Steps

Complete development of agency Concept of Operations.

U.S. Army Corps of Engineers (USACE) - Defense

ITDS Related Mission

The U.S. Army Corps of Engineers (USACE) maintains databases and statistics pertaining to waterborne commodity and vessel movements, and vessel characteristics, which it uses for making capital investment decisions for building, improving, or rehabilitating port and waterway facilities, lock facilities, lock operations, and navigation dredging projects.

Planned Data Exchange

Based on current plans, ACE will:

- Provide the Corps of Engineers with a monthly Harbor Maintenance Fee (HMF) Report, displaying aggregate totals of the HMF fees collected, sorted, and summarized by port, vessel type, and commodity. The Corps of Engineers will maintain the Schedule "K" (Foreign Port Codes) and the "Classification of Ships by Type" code tables in ACE,
- Allow the Corps of Engineers the ability to use the ACE Portal to obtain product and commodity information reported from importers that identifies which commodities are shipped on which vessels to which ports,
- Provide a correlated entry summary, manifest, and vessel entrance data report, by correlating various ACE vessel entrance and clearance data into one record per vessel movement or cargo shipment, and
- Provide the Corps of Engineers with carrier contact information through the ACE Portal (already available).

Unscheduled - M1 (Originally 10/2008) – HMF Reports will be available via the ACE Portal; USACE will receive information reported by carriers on incoming vessels and trains (manifest reports) as well as carrier entrances and clearances.

Unscheduled - A2.2 (Originally 5/2009) – USACE will obtain data through the ACE Portal on shipments filed by importers (entry/entry summary data) correlated with manifest information filed by carriers.

Unscheduled - A2.3 (Originally 6/2009) – USACE will obtain data through the ACE Portal on shipments filed by importers (entry/entry summary data) correlated with manifest information filed by carriers, and vessel entrance and clearance information from the Vessel Management System (VMS).

Unscheduled - M3 (Originally 7/2010) – USACE will receive outbound vessel manifest information through ACE.

Status

USACE currently receives a disk with abstracts of manifest information collected by CBP.

USACE currently receives monthly import and export data from the U.S. Census Bureau.

USACE currently receives a text attachment via email containing U.S. vessel entrance and clearance information from CBP's VMS.

USACE's Concept of Operations received final CBP approval in February 2007. No Corps of Engineers staff has taken ACE Portal training. Manifest information is currently not available through the ACE Portal.

USACE has created a draft Memorandum of Understanding currently under review by CBP and USACE legal Councils

Next Steps

USACE to prepare a final Memorandum of Understanding.

Energy Information Administration (EIA), Office of Oil and Gas - Energy

ITDS Related Mission

The Energy Information Administration (EIA) is the statistical agency of the Department of Energy.

EIA issues a wide range of weekly, monthly, and annual reports on energy production, stocks, demand, imports, exports, and prices, and prepares analyses and special reports on topics of current interest.

EIA currently collects data on imports of crude oil and/or petroleum products on a weekly and monthly basis. Data are reported to EIA by each Importer of Record (or Ultimate Consignee in some situations regarding Canadian imports) who imports crude oil or petroleum products into the 50 states and the District of Columbia, into Puerto Rico, the Virgin Islands, and other U.S. possessions, entries into Foreign Trade Zones located in the 50 states and the District of Columbia, and from Puerto Rico, the Virgin Islands, and other U.S. Possessions into the 50 states and the District of Columbia.

Planned Data Exchange

A plan for data exchange has not been developed via ACE. However, EIA currently receives from CBP a monthly download of its data in ACS.

Status

EIA joined ITDS in April 2008.

Next Steps

Complete development of agency Concept of Operations.

Office of Fossil Energy (OFE) - Energy

ITDS Related Mission

The Department of Energy's Office of Fossil Energy (OFE) regulates natural gas imports and exports from and to the United States.

OFE issues "blanket" authorizations of up to two years and long-term authorizations of greater than two years to applicants requesting to import and export natural gas. There is no standard application form; however, OFE provides guidelines on how to prepare and submit the application.

Applicants may apply for blanket authorizations online on OFE's Web site. Applications for long-term authority must be mailed to OFE. Authorized importers and exporters are required to send monthly reports to OFE detailing all of their natural gas import and export activity.

Planned Data Exchange

A plan for data exchange has not been developed via ACE.

Status

OFE joined ITDS in August 2007.

A functional assessment and documentation of the "As-Is" business processes were completed in November 2007.

OFE finalized their Standard Data Set and submitted it to the ITDS Data Harmonization Team on February 20, 2009.

The "To-Be" business processes were documented and finalized in April 2009.

A draft Concept of Operations was submitted to OFE on July 29, 2009.

OFE has no staff with access to the ACE Portal.

Next Steps

OFE to provide the necessary documentation and security requirements for OFE personnel to access the ACE Portal.

OFE to complete the review of the draft Concept of Operations and submit the final version to CBP for their approval.

Office of the General Counsel - Energy

ITDS Related Mission

The Department of Energy's (DOE) Office of the General Counsel enforces minimum efficiency standards (or maximum consumption standards) for a wide variety of products both imported and domestic. These products include residential appliances and commercial equipment, including refrigerators, clothes washers, water heaters, air conditioners, commercial refrigeration systems, beverage vending machines, commercial air conditioners, and even electric motors used in other products. The Energy Policy and Conservation Act, as amended, (EPCA) authorizes denial of admission for noncompliant products. EPCA also authorizes civil penalties for the importation of any covered product that does not meet the applicable energy conservation standard or does not comply with other regulatory requirements. See 42 U.S.C. § 6302 (Prohibited Acts) and 42 U.S.C. § 6291 (Definition of "distribution in commerce").

DOE requires manufacturers (and importers) to certify compliance of each basic model of covered product before the model is imported into the United States.

Planned Data Exchange

DOE's Office of the General Counsel plans to use information gained through ITDS to identify manufacturers and importers who are importing covered products and help identify importers who have not certified the types of covered products being imported, help those importers to achieve compliance before the products enter the United States, or assess civil penalties as appropriate.

Status

The Department of Energy's Office of the General Counsel has only recently joined the ITDS program.

U.S. Fish and Wildlife Service (FWS) - Interior

ITDS Related Mission

The U.S. Fish and Wildlife Service (FWS) determines the admissibility and controls the export of most wildlife and wildlife products.

To perform these functions, FWS:

- Issues licenses and permits to import or export wildlife and wildlife products, and
- Stations wildlife inspectors at U.S. port locations to inspect wildlife and wildlife products to ensure they are properly documented and to prevent the illegal import or export of wildlife.

Planned Data Exchange

FWS will continue to use its Electronic Declaration Subsystem (eDecs) to determine admissibility of entries subject to FWS regulations.

Unscheduled - M2.3 (Originally 6/2009) – FWS will:

- Notify CBP of FWS decisions to admit or deny entry, since FWS must complete its admissibility decision before CBP processes the shipment,
- Use the ACE Portal to track all movements of cargo under CBP control, including cargo in an FTZ, customs bonded warehouse, or in-transit, and
- Use the ACE Portal for detection of illegal or undeclared wildlife shipments.

Unscheduled - M1 (Originally 10/2008) – Based on current plans, FWS will use the ACE Portal to view and place holds on shipments arriving via rail and sea while FWS is investigating and to remove the hold upon completion of the investigation.

Status

The FWS draft Concept of Operations Version 2 was submitted to CBP for review on June 24, 2009. Progress on the Data Memorandum of Understanding between CBP and FWS is under discussion. As of August 2009, FWS had 114 staff members with access to the ACE Portal.

Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) - Justice

ITDS Related Mission

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) regulates the importation of arms, ammunition, implements of war, destructive devices, and explosives. ATF also requires appropriate licenses and permits for importation of some of these items, as specified by Federal laws. ATF regulates and requires a permit for the exportation of National Firearms Act (NFA) weapons. ATF conducts investigations into crimes involving the export of NFA weapons and the import of firearms, explosives, and implements of war.

Planned Data Exchange

ATF currently has the ability to use the ACE Portal to retrieve entry summary information. ATF plans to automate its paper-intensive license and registration process for importation and exportation of firearms and explosives and will use ACE in these processes.

Unscheduled - M2.3 (Originally 6/2009)

ATF will provide a list of products it regulates using the Harmonized Tariff Schedule (HTS) number. This data will be used by CBP to identify shipments which may require ATF issued licenses, registration, or permits.

ATF license, registration, and permit data will be provided to ACE by ATF. This data will be used to automatically verify and validate license, registration, and permit data submitted by the trade.

ATF may also develop and implement an interface with ACE that will allow the trade to file for CBP release electronically. Once CBP has authorized release, its certified copy of the release documentation could be electronically submitted to ATF.

ACE will provide entry summary importation data to ATF. This data will allow ATF to track the use of licenses, registration, and permits.

Status

In July 2009, the ATF Concept of Operations was approved by CBP and ATF. ATF drafted a Memorandum of Understanding and presented it to CBP in August 2006. CBP agreement to the Data Sharing Memorandum of Understanding is pending.

ATF has 19 staff members with access to the ACE Portal. They have the ability to use the ACE Portal to determine when licensees/permittees have imported firearms or explosives. These data can be used to help ensure that licensees/permittees are properly accounting for the imported products.

Next Steps

CBP and ATF to agree on Data Sharing Memorandum of Understanding.

Drug Enforcement Administration (DEA) - Justice

ITDS Related Mission

The Drug Enforcement Administration (DEA) regulates the import and export of controlled substances and listed chemicals that may be used to manufacture controlled substances.

The DEA issues import and export permits for certain controlled substances and monitors those movements. The DEA also establishes and monitors import quotas for Ephedrine, Pseudoephedrine, and Phenylpropanolamine.

CBP and DEA share information related to drug smuggling and trafficking, including information related to verification of DEA permits.

Planned Data Exchange

DEA plans to provide CBP a reference file containing admissibility-related data elements including registered Importers, Exporters, and applicable Permit Numbers, as well as a description and approved quantities of the regulated products.

Unscheduled - M2.3 (Originally 6/2009) – DEA will identify shipments which require permits and for which the importer or exporter must be registered and report to DEA. DEA will use these data to update files in its own system and to track use of permits. DEA will also maintain tables in ACE with the same updated information.

Status

The DEA joined ITDS in February 2007.

The DEA has completed a draft Memorandum of Understanding which is currently undergoing legal review by DEA and CBP.

DEA submitted agency-approved Concept of Operations to ITDS/CBP on November 28, 2008, and was reviewed by CBP on January 8, 2009. The Concept of Operations has been revised based on the CBP review and is currently undergoing agency review.

The DEA has no current ACE Portal users.

Next Steps

DEA will revise Concept of Operations to address CBP comments and resubmit to CBP.

DEA will review and submit business and system requirements for ACE to CBP.

Bureau of Labor Statistics (BLS) - Labor

ITDS Related Mission

The Bureau of Labor Statistics (BLS) compiles and publishes statistics and price indices on internationally-traded goods and services to users that include the U.S. Congress, international statistical organizations, Federal agencies, and the public. BLS import and export price indices are used to adjust import and export trade values for inflation. BLS obtains entry summary data and importer names and addresses from CBP to compile import and export price indices for goods and services.

Planned Data Exchange

Unscheduled - A2.4 (Originally 1/2011) – BLS plans to use the ACE Portal to access name and address information on importers and entry summary information, including admissions into Foreign Trade Zones.

Unscheduled - M3 (Originally 10/2011) – ACE will provide BLS access to information on exporters and export transactions.

Status

The BLS Concept of Operations was approved by BLS and CBP in October 2006. A draft Memorandum of Understanding was submitted to the CBP Office of Rules and Regulations (OR&R) in March 2007 and is awaiting approval.

BLS has three staff members with access to the ACE Portal.

Latest draft of the MOU is still under review at CBP. Data transfer method is still an issue in need of resolution.

Next Steps

CBP agreement to the Memorandum of Understanding.

Centers for Disease Control and Prevention (CDC) - HHS

ITDS Related Mission

The international trade-related mission of the Centers for Disease Control and Prevention (CDC) is to prevent the introduction, transmission, and spread of communicable diseases from foreign countries into the United States. CDC regulates imports that can potentially cause disease in humans and requires permits for etiological (disease-causing) agents, biological materials, and certain animals and animal products.

Planned Data Exchange

Unscheduled (Originally 6/2009) – CDC will use ACE to monitor the usage of import permits and place holds on imports subject to additional CDC scrutiny. CDC will provide ACE import permit information that must be validated at time of entry with documentation provided by the importer. CDC will also use ACE to send and receive communications from CBP regarding entry issues related to specific imports.

- Identify quickly whether a shipment is under CDC jurisdiction.
- Monitor potential misuse of permits by importers abusing quantity restrictions.
- Audit CDC permit holders.
- Determine whether an importer is "port shopping," i.e., trying to avoid those 20 ports of entry at which CDC has a presence.

Status

CDC's Concept of Operations is currently under agency review. CDC "As-Is" and "To Be" processes have been documented along with their data requirements.

CDC has no ACE Portal users.

CDC joined ITDS in June 2007.

Next Steps

CDC to complete the necessary steps for CDC personnel to access ACE Portal.

CDC to provide agency-approved Concept of Operations for submission to CBP.

Food and Drug Administration (FDA) - HHS

ITDS Related Mission

The Food and Drug Administration (FDA) authority regulates the importation of food, drugs, cosmetics, medical devices, biologics, and radiation-emitting products.

- The FDA requires registration of foreign food, drug and medical device manufacturers.
- The FDA requires permits, licenses, and/or certifications (i.e. registration, listing and process review) for the import of certain commodities over which FDA has jurisdiction.
- The FDA requires that importers notify FDA of the import of all FDA-regulated products for screening and processing on the FDA OASIS system. (Importers of merchandise subject to the Bio-Terrorism Act must notify FDA prior to importation.)
- Regulated commodities are also subject to examination by the FDA to ensure compliance with FDA regulations.

Planned Data Exchange

- There is currently a direct interface between the FDA's OASIS system and CBP's ACS system. All current interface functionality will be transferred from ACS to ACE. The FDA currently uses ACS to screen and target shipments of regulated commodities arriving in the United States.

  Unscheduled - M2.3 (Originally 6/2009) – FDA plans on utilizing this release of ACE to:

  - Identify imports of commodities under FDA jurisdiction,
  - Review information related to regulated imports to make decisions on whether to inspect or take enforcement actions,
  - Place holds and/or refuse shipments on FDA regulated commodities,
  - Receive prior notice data, entry data, and FDA permit/registration data in order to determine FDA jurisdiction,
  - Make admissibility determinations, screen shipments under the Bioterrorism Act, identify shipments to examine, and record dispositions related to the shipment, and
  - Transmit admissibility decisions via OASIS through ACE to appropriate CBP officials.

Unscheduled - M3 (Originally 2011) – FDA may wish to add plans to access export transaction information to monitor the compliance of drug export shipments with FDA export-related regulations.

Status

CBP has approved the FDA Concept of Operations (CONOPS).

A draft CBP/FDA Memorandum of Understanding is under going review at FDA and CBP.

FDA is in the process of implementing PREDICT (Predictive Risk-based Evaluation for Dynamic Import Compliance Targeting). PREDICT is a "tool" to improve import screening and targeting to prevent the entry of adulterated, misbranded, or otherwise violative goods.

FDA, currently, has one staff member with access to the ACE Portal.

Next Steps

Agency to complete MOU.

United States Coast Guard (USCG) - DHS

ITDS Related Mission

The United States Coast Guard (USCG) has maritime safety and security responsibilities in all U.S. navigable waters, territorial waters and in U.S. ports. The USCG conducts regulatory inspections in the ports, including inspecting vessels and containers that transport imported and exported cargo, including bulk items. As a border enforcement agency, the USCG also endeavors to detect security threats to the United States in the form of weapons (including vessels), illicit cargoes, contraband, military threats, and human smuggling and trafficking. The USCG attempts to reduce safety and environmental risks to U.S. waters and ports posed by vessels that have unacceptable safety or pollution records.

The USCG requires operators of vessels over 300 gross tons to notify USCG of arrival into U.S. territorial waters 96 hours prior to arrival. Advance notice information is submitted through the eNOAD System (Electronic Notice of Arrival/Departure) to the National Vessel Movement Center (NVMC), which notifies local Coast Guard units of the vessel arrivals. Information contained on the advance notice includes vessel name, registered owner, country of registry, passenger and crew manifests, and general description of cargo.

USCG Captains of the Ports have authorities to board, inspect or examine, or detain any vessel in U.S. waters, and their cargo, and to prevent them from entering U.S. ports for reasons of safety or security. Upon vessel arrival, the USCG is authorized to inspect and, if necessary, hold containers that may be carrying hazardous materials or suffering from a structural defect. Joint targeting between Federal, state and local agencies may prompt inspections of vessels and/or containers arriving or departing from a U.S. port.

Planned Data Exchange

The USCG and CBP have planned a pilot project in the Port of Charleston, which will be the Coast Guard's first operational trial of ACE. During the pilot, Coast Guard personnel will be using ACE functionality in cooperation with local CBP personnel, for screening, selecting, and inspecting/examining vessels or containers based on information obtained from bills of lading and "BAPLIE" (vessel stow plans) through ACE. Coast Guard users will also try out a new ACE feature that allows for the option to share COTP orders with other federal partners. The results of this joint USCG/CBP pilot will be shared with the other ITDS member agencies. Future plans beyond the pilot include an exploration of interactions between the DHS Interagency Operations Centers WatchKeeper System and ACE (Watchkeeper is a web-based application under development to collect operational data from a variety of agency databases).

Status

The USCG joined ITDS in January 2008, completed an initial Functional Assessment and data architecture submissions in 2009, and submitted its USCG Plan for the Using ITDS/ACE (ITDS Concept of Operations) to CBP on March 30, 2010. Documentation of "as-is" and "to-be" work processes to better understand the likely fit of ACE usage in the

joint port operations of the two agencies is planned for FY 2011. This project will also begin identifying shared services needed by USCG and CBP to support their joint activities, consistent with DHS's emerging Service Oriented Architecture.

Next Steps

Define initial data exchange processes with CBP, using DHS OneNet or other available DHS services as much as possible. Continue exploring possibilities for a future interface with Watchkeeper.

Document scenario-based "as-is" and "to-be" collaborative inter-agency work processes at national and field levels. Apply findings from this work to identify shared services needed within the DHS Service Oriented Architecture.

Develop field-level procedures for the FY 2011 joint ACE pilot; train USCG personnel participating in the pilot.

Transportation Security Administration (TSA) - DHS

Border Mission

The Transportation Security Administration (TSA) is responsible for security relating to civil aviation, maritime, and all other modes of transportation, including transportation facilities such as airports and ports, and on the nation's railroads, highways, and public transit systems.

Along with CBP and the U.S. Coast Guard, TSA works to secure the maritime transportation mode of the transportation system. TSA's Maritime Security Division is involved in credentialing as well as passenger and vehicle screening techniques and procedures.

Planned Data Exchange and Status

A plan for data exchange has not been developed.

TSA joined ITDS in 2005.

TSA has no persons with access to the ACE Portal.

Administration/Logistics Management (A/LM) - State

ITDS Related Mission

The Department of State's Office of Logistics Management Operations (A/LM), includes several Despatch Agencies providing customs clearance and freight forwarding services for inbound and outbound property of U.S. Government employees. This includes household effects, unaccompanied air baggage and privately-owned vehicles. In addition, they offer an extensive International Through Government Bill of Lading (ITGBL) service for post–to-U.S. and post-to-post employee reassignment.

When goods arrive at U.S. ports, a Despatch agency acts like a customs broker or freight forwarder responsible for filing all CBP Clearance information on behalf of the returning employee. This is usually processed via CBP Form 3299 (Declaration for Free Entry of Unaccompanied Articles) or a CBP informal entry. While performing this service A/LM has noted that CBP documentation requirements are slightly different from port to port.

Planned Data Exchange

A plan for data exchange has not yet been developed; prior to proceeding further A/LM has requested that CBP review documentation requirements at U.S. ports with the goal of promoting uniformity.

Status

A/LM submitted their agency approved Concept of Operations to CBP/ITDS on March 30, 2009. A/LM was notified by CBP on July 15, 2009, that they could request a filer code from CBP and start filing electronic entries to release their shipments. Department of State is reviewing this option internally and is reviewing a list of Automated Broker Interface (ABI) software vendors.

A/LM has no ACE Portal users.

Next Steps

A/LM has drafted a Concept of Operations, which is being refined with CBP.

A/LM will decide whether to file electronic entries for shipments of effects imported by returning U.S. Government employees.

Bureau of Oceans and International Environmental and Scientific Affairs (OES) - State

ITDS Related Mission

The Department of State's Office of Marine Conservation (OMC) focuses on international fisheries matters and related problems. OMC is part of the Oceans and Fisheries Directorate, which is part of the Bureau of Oceans and International Environmental and Scientific Affairs (OES).

There is a prohibition on the importation of shrimp harvested in ways harmful to sea turtles unless the Department of State certifies that the harvesting nation either has a sea turtle protection program comparable to that of the United States or has a fishing environment that does not pose a threat to sea turtles (P.L. 101-62). The Department of State is the principal implementing agency for this law, and the National Oceanic and Atmospheric Administration Fisheries serve as technical advisors.

Each year the Department of State provides to the Congress and to CBP a list of countries that harvest shrimp in a manner that does not pose a threat to sea turtles.

Currently shrimp importers file the Shrimp Exporter's/Importer's Declaration (form DS-2031) with CBP, which provides certification from either the importer or a foreign government official that the product complies with section 609 requirements.

Planned Data Exchange

OES plans to implement a completely electronic form DS-2031 for shrimp products imported into the United States.

OES may use the ACE Portal to track overall quantifies of imported shellfish.

Unscheduled - M2.3 (Originally 6/2009) – OES will identify shipments which require certification and for which the importer or exporter must be certified and report to OES. OES will use these data to update files in its own system and to track use of permits. OES will also maintain tables in ACE with the same updated information.

Status

The OES joined ITDS in October 2007.

- OES has not prepared a Concept of Operations statement.
- OES has not prepared a draft Memorandum of Understanding.

In July 2009, OES and CBP determined that OES will continue to require CBP to collect the DS-2031 at the time of entry, but only present to CBP upon request via random exam (Pre-Release) or audit (Post-Release). The OES "To-Be" process flow for shrimp importations was drafted to reflect this process.

OES currently has no ACE Portal users.

Next Steps

OES to draft Concept of Operations for initial submission to CBP.

Diplomatic Security/Office of Foreign Missions (DS/OFM) - State

ITDS Related Mission

The Office of Foreign Missions (OFM) in the Bureau of Diplomatic Security authorizes duty-free treatment for shipments consigned to foreign missions, international organizations, and their members. All shipments to foreign diplomats and missions must be cleared using the diplomatic customs clearance procedure, currently via Department of State entry form DS-1504 (Request for Customs Clearance and Merchandise).

Planned Data Exchange

OFM plans to complete automation in 2009 for OFM's paper-intensive certification process for diplomatic shipments.

Embassies will apply to OFM for certification. OFM will provide information of an approved certification to the embassy and to CBP through ACE. Importers will identify certified shipments as part of the entry filing process and ACE will validate that information.

ACE will facilitate collaboration between OFM and other Participating Government Agencies that have admissibility authority over certain diplomatic goods. ACE will collect diplomatic shipment information from the OFM e-Government system and notify the appropriate Participating Government Agency when necessary.

Unscheduled - M2.3 (Originally 6/2009) – OFM will identify diplomatic shipments that require OFM clearance.

OFM will also view Bill of Ladings, CBP entries (3461/7501), Foreign Trade Zone admissions, and CBP Bonded Warehouse entries and withdrawals through the ACE Portal.

Status

OFM joined ITDS in June 2006.

In July 2009, the OFM Concept of Operations was approved by OFM and CBP.

OFM has prepared and provided a draft Memorandum of Understanding to CBP.

OFM has nine staff members with access to the ACE Portal. OFM currently uses ACE to identify diplomatic shipments that have not entered using the diplomatic customs clearance procedure.

Next Steps

OFM implementation of its electronic system to replace its paper certification process for diplomatic shipments is scheduled to be completed in late 2009.

OFM agrees to Memorandum of Understanding with CBP.

Directorate of Defense Trade Controls (DDTC) - State

ITDS Related Mission

The Directorate of Defense Trade Controls (DDTC) is part of the Bureau of Political Military Affairs (PMA) in the Department of State.

DDTC is charged with controlling the export and temporary import of defense articles and defense services covered by the United States Munitions List. DDTC licenses exports of defense articles and services.

DDTC works closely with CBP in the review of defense industry registrations and in the areas of the performance of defense export end-use checks, investigations, and civil penalties.

Planned Data Exchange

A detailed plan for data exchange has not been developed.

Unscheduled - M2.3 (Originally 6/2009) – DDTC will identify shipments which require permits and for which the import or export must be licensed and reported to DDTC. DDTC will use these data to update files in its own system and to track use of permits. DDTC will also maintain tables in ACE with the same updated information.

DDTC anticipates benefit from access to the ACE Portal for tracking shipments and overall quantities of defense trade. There are also possibilities to validate export licenses based on information provided to CBP by DDTC in an electronic format.

Status

The DDTC joined ITDS in November 2007. Both the Functional Assessment and the DDTC's "As-Is" operations have been documented.

The DDTC has not yet prepared a Concept of Operations.

DDTC submitted paperwork for staff access to the ACE Portal. A Letter of Exchange is in place for DDTC to gain access to the ACE Portal.

DDTC has prepared and submitted to CBP portions of a draft Memorandum of Understanding.

Next Steps

CBP to provide Portal Access for DDTC staff.

Further wok by DDTC on hold pending Export Control Reform.

Department of Transportation (DOT)

International Freight Data System (IFDS)

Seven Department of Transportation (DOT) agencies will obtain data collected by CBP through a system-to-system interface between ACE and DOT's planned International Freight Data System (IFDS). The Research and Innovative Technology Administration is the primary agency engaged in creating and managing IFDS. The agencies that will use IFDS to access data collected through ACE are:

- Bureau of Transportation Statistics (BTS)
- Federal Aviation Administration (FAA)
- Maritime Administration (MARAD)
- National Highway Traffic Safety Administration (NHTSA)
- Federal Highway Administration (FHWA)
- Pipeline and Hazardous Materials Safety Administration (PHMSA)
- Federal Motor Carrier Safety Administration (FMCSA)

Design work on IFDS is underway. At the current rate of development, IFDS will be operational in 2012. The DOT estimates that IFDS will cost approximately $1.7 million to design, build, test, and deploy.

Status

DOT Concept of Operations was approved by CBP on July 23, 2009.

Next Steps for IFDS

CBP to review, agree to the DOT Data Memorandum of Understanding.

Bureau of Transportation Statistics (BTS)

ITDS Related Mission

The BTS, within the Research and Innovative Technology Administration of DOT, collects, compiles, and publishes comprehensive monthly and annual transportation statistics covering all modes of transportation. BTS performs research and prepares statistics and reports on the volume and geography of international trade on the Nation's transportation systems.

Planned Data Exchange

BTS currently receives import and export summary data from the Bureau of the Census on a monthly basis and border crossing data from CBP on a periodic basis. BTS plans to use transaction data downloaded from ACE into IFDS, including entry/entry summary reports from importers, manifest reports from carriers, and name and address information for carriers from ACE carrier account files. This information can be sorted by

the location where the shipment was loaded on the conveyance that arrives in the United States, port of arrival, location of consignee, and conveyance.

Status

BTS has three staff members with access to the ACE Portal.

Federal Aviation Administration (FAA)

ITDS Related Mission

The FAA enforces regulations governing the transportation of hazardous materials by air.

Planned Data Exchange

FAA will access entry/entry summary and manifest data through the DOT International Freight Data System, including data about hazardous material shipments supplied by carriers (air manifest data) and supplied by importers (entry/entry summary data). FAA plans to use this information to analyze international hazardous materials transportation flows and to enhance the effectiveness of FAA‟s existing hazardous materials enforcement programs.

Status

At this time, FAA has no one with ACE Portal access.

Federal Highway Administration (FHWA)

ITDS Related Mission

The FHWA conducts research on international commodity flows and related freight transportation activities, develops analytical tools, including freight models, to measure the transportation system, and examine the relationship between freight transportation improvements and the U.S. economy.

Planned Data Exchange

FHWA will access entry/entry summary and manifest data through the DOT International Freight Data System to analyze cargo and conveyance movements in order to improve its understanding of national level freight flows, improve its analytic capacity, and to better allocate resources among states.

Status

FHWA has no plans to use the ACE Portal.

Maritime Administration (MARAD)

ITDS Related Mission

MARAD administers the Cargo Preference Act of 1954, which reserves a portion of U.S. Government sponsored cargo to qualified U.S.-flag privately-owned commercial vessels. MARAD regulates how other government agencies must comply with this cargo reservation requirement and MARAD is responsible for reporting government-wide compliance to Congress. MARAD is also charged with surveying the U.S. merchant marine and studying cargo carriage and maritime issues in general, in order to make recommendations for new legislation, if needed. To do this, MARAD collects and analyzes information from CBP Vessel Management System; bills of lading collected from carriers and the Department of Defense, USDA, and USAID; and receives export data electronically from the Bureau of the Census. MARAD also investigates and keeps records of cargo and vessel movement data.

Planned Data Exchange

MARAD will use IFDS to access linked import and export cargo shipment data, manifest data, and conveyance information.

Status

MARAD has five staff members with access to the ACE Portal.

National Highway Traffic Safety Administration (NHTSA)

ITDS Related Mission

NHTSA monitors imported motor vehicles and motor vehicle equipment to ensure compliance with applicable Federal motor vehicle safety standards (FMVSS). NHTSA's regulations require each person importing a motor vehicle or regulated item of motor vehicle equipment to file with CBP an HS-7 Declaration form. HS-7 Declarations that are filed electronically in CBP's Automated Commercial System are forwarded to NHTSA Motor Vehicle Importation Information (MVII) database.

NHTSA also registers importers of motor vehicles that were not originally manufactured to comply with all applicable FMVSS. NHTSA's regulations also require an importer of a nonconforming vehicle to obtain a DOT Conformance Bond (separate from the general obligation importer's bond) to ensure that the vehicle is brought into conformity.

Planned Data Exchange

Using the ACE Portal, NHTSA will maintain a file in ACE that identifies persons and businesses licensed to import non-conforming vehicles. CBP currently provides HS-7

and entry/entry summary transactional information to NHTSA twice a week on CDs that are entered into the agency's Motor Vehicle Importation Information (MVII) database. It is planned that the IFDS, when fully functional, will feed data to the MVII database and that NHTSA will use IFDS to monitor "HS-7" and other entry/entry summary data filed by importers of motor vehicles and motor vehicle equipment.

Status

NHTSA has an existing Interconnection Security Agreement with CBP for the purpose of transferring data from CBP's Automated Commercial System to NHTSA's MVII database through a system-to-system interface. CBP's regulations authorize the agency to act on NHTSA's behalf with regard to the "HS-7" requirements (see 19 CFR 12.80).

NHTSA has one staff member with access to the ACE Portal.

Pipeline and Hazardous Materials Safety Administration (PHMSA)

ITDS Related Mission

PHMSA formulates and issues Federal rules for international hazardous material shipments covering:

- Definitions and classifications,
- Shipper and carrier operations, and
- Packaging and container specifications.

It is the task of PHMSA's inspection and enforcement staff to determine compliance with safety and training standards by inspecting entities that offer hazardous materials for transportation; and that manufacture, requalify, rebuild, repair, recondition, or retest packaging (other than cargo tanks and tank cars) used to transport hazardous materials. PHMSA focuses its enforcement efforts on packaging manufacturers and multimodal shippers of hazardous materials. PHMSA requires individuals who transport or offer for transportation certain types or quantities of hazardous materials to register annually with DOT.

PHMSA will also use data reported through ACE/ITDS to develop models to help make transport of hazardous materials safer.

Planned Data Exchange

PHMSA will access entry/entry summary and manifest data through the DOT International Freight Data System. PHMSA will rely on hazardous materials identification information, such as the UN identification number and Hazard Class, that have been included in the standard data set of the ITDS.

Status

PHMSA joined ITDS in August 2007.

Federal Motor Carrier Safety Administration (FMCSA)

ITDS Related Mission Using IFDS

The FMCSA will access data through IFDS to analyze the flow of international truck freight across the nation, in order to improve staffing and related enforcement activities at the U.S. borders, and inform the allocation of Federal resources to state motor carrier safety partners.

Planned Data Exchange

FMCSA will access entry/entry summary and manifest data through the DOT International Freight Data System to analyze cargo and conveyance movements and to better allocate resources among states.

Status

At this time, FMCSA has no one with ACE Portal access.

ITDS Related Mission Using Query Central

FMCSA will also have a direct interface with ACE for screening trucks entering the United States.

FMCSA enforces safety standards for commercial motor vehicles entering and operating throughout the United States. Under the ITDS program, FMCSA will receive information about commercial motor vehicles and drivers reported in manifest declarations that are electronically submitted to CBP by carriers or their agents in advance of cargo arriving at the border. FMCSA will use this advance information to identify vehicle and driver safety compliance issues and determine what further follow-up is required. The FMCSA screening results will also be transmitted, via ACE, to carriers in order to provide an opportunity to correct problems before arrival at the border. Vehicle and driver inspections may be performed by either FMCSA inspectors or by state authorities.

Planned Data Exchange

FMCSA and CBP are developing an interface between the FMCSA data system, Query Central, and ACE, to allow the pre-screening of commercial motor carriers and their drivers and equipment prior to their arrival at U.S. border ports of entry. When an electronic truck manifest is validated by CBP, information related to the commercial motor vehicle and driver entering the United States will automatically be transmitted via a secure Virtual Private Network connection over the internet to the FMCSA system, Query Central. Query Central will use the data to verify the operating authority, insurance, Commercial Drivers License, Hazardous Materials endorsement, and vehicle

safety score. The screening results will be transmitted back to CBP and the carriers or their agents within approximately eight seconds of manifest submission.

Status

The interface between CBP and FMCSA has been tested with actual carrier data. The purpose of the test was to evaluate the volume of screening issues and system screening performance.

Over the next two years, various functions can be phased in. Deployed into production in April 2008, although not yet used by FMCSA, the capability for FMCSA to screen manifest information as well as notification to carriers or their agents of FMCSA-related issues was completed in April 2008. With a later phase, FMCSA-related manifest issues will display a warning for CBP officers to refer the vehicle in question to an FMCSA inspection location. With the deployment of the final phase, critical FMCSA issues will result in CBP rejection of the manifest. FMCSA and CBP entered into a Memorandum of Understanding for the exchange of ACE data between the two agencies in early 2010.

CBP has approved phase one of the FMCSA CONOPs.

Next Steps

FMCSA and CBP have signed a Memorandum of Understanding.

FMCSA will develop an enforcement strategy to address safety compliance issues identified by this data exchange.

- FMCSA to obtain portal access.
- FMCSA will conduct user and load testing of the ACE/Query Central Interface.
- FMCSA and CBP will develop and distribute outreach material to the motor carrier and trade communities.

Financial Crimes Enforcement Network (FinCEN) - Treasury

ITDS Related Mission

FinCEN's mission is to enhance U.S. national security, deter and detect criminal activity, and safeguard financial systems from abuse by promoting transparency in the United States and international financial systems.

Planned Data Exchange and Status

FinCEN is testing the use of data from the ACE Portal for analysis use in their activities related to supporting the financial, law enforcement, and regulatory communities.

Status

FinCEN joined ITDS in October 2008.

FinCEN and CBP signed a Letter of Exchange dated May 21, 2010, allowing access to ACE Portal for a period of one year. It is anticipated that upon successful testing both parties will seek a formal Memorandum of Understanding.

FinCEN has 11 personnel who have been given access to ACE Portal access.

Internal Revenue Service (IRS) - Treasury

ITDS Related Mission

The Internal Revenue Service (IRS) collects excise taxes on certain imports and on foreign trucks subject to the Heavy Highway Vehicle Use (HHVU) tax. The IRS monitors information reported by importers (entry summary) to ensure payment of excise taxes on goods.

Planned Data Exchange

The IRS will obtain information reported by importers (entry summary data) and Foreign Trade Zone (FTZ) admissions data through the ACE Portal and via a system-to-system interface to identify imports of commodities that are subject to excise taxes and to determine if applicable excise taxes have been appropriately remitted. The IRS will provide ACE with updated information pertaining to registrations to ensure notification to trade at time of entry, of taxes due. The IRS will provide ACE with Vehicle Identification Numbers (VINs) and other information to enable ACE to identify those Heavy Highway Vehicles (HHV) entering the United States that have not filed the appropriate tax returns. IRS staff will also access/download pertinent data related to the importation of commodities subject to excise tax via the ACE Portal. The IRS will also monitor information reported by carriers (manifest data) to ensure that excise taxes on imported fuel are paid and that HHVU taxes are paid for foreign licensed vehicles entering the United States.

The IRS will transmit to CBP through ACE updated Employer Identification Number (EIN) data (which can be used to identify parties to a transaction) to allow ACE to verify the accuracy of information submitted to CBP.

The IRS has the capability to view name, address, and contact information for importers, brokers, and carriers.

April 12, 2009 - A2.2 (Originally 3/2009) – IRS has access to entry summary data from consumption entries and informal entries that it uses for research and analysis. The IRS also uses data from ACE to determine if importers/consignees of taxable commodities are registered.

Unscheduled - M1 – IRS will have the capability to view rail and sea manifests through the ACE Portal. IRS will use ACE to correlate manifest and entry data in order to link specific shipments and modes of transportation.

Unscheduled - A2.3.2 and A2.3.3 (Originally 6/2010) – IRS will have access to the remainder of the entry summary types for research and analysis. ACE will provide importers with notice that certain excise taxes are due at entry summary. The IRS will have access to entry summary information on taxable commodities through the ACE Portal.

Status

IRS' Concept of Operations was approved July 23, 2009.

The IRS completed a draft Data Memorandum of Understanding which is now under review with CBP. Discussions indicate additional language will be necessary regarding disclosure and security of the data.

The IRS has two people with access to the ACE Portal.

Next Steps

IRS and CBP must finalize the Memoranda of Understanding (Data and Operational). Development and coordination of the operational MOU will begin in FY 2011.

Office of Foreign Assets Control (OFAC) - Treasury

ITDS Related Mission

The Office of Foreign Assets Control (OFAC) administers and enforces economic and trade sanctions. OFAC administers country sanctions by providing written instructions and copies of OFAC licenses in letter form to CBP for use in the ports to determine the admissibility of shipments within OFAC's jurisdiction. OFAC also designates persons and organizations (Specially Designated Nationals and Blocked Persons (SDN List)) with whom U.S. persons may not trade. Any assets or property of SDN designees that come into U.S. jurisdiction are subject to U.S. Government regulation.

Planned Data Exchange

OFAC currently has the ability to the ACE Portal to retrieve entry summary information and additional account and reference information for research and analysis.

Country sanction lists and license data provided to ACE by OFAC will be used by CBP to determine admissibility of imports and exports.

OFAC will also use the ACE Portal to update and maintain the SDN List in ACE.

Unscheduled - M1 (Originally June 2009) – OFAC will have access to rail and vessel manifest and could make referrals to other agencies, as needed.

Unscheduled - M2.3 – OFAC will use ACE to maintain OFAC sanction list and license data.

Status

The OFAC Concept of Operations was approved by OFAC and CBP in November 2006.

The draft Data Memorandum of Understanding is currently being reviewed by OFAC.

OFAC has seven staff members with access to the ACE Portal.

Next Steps

OFAC and CBP must finalize the appropriate Memoranda of Understanding (Data and Operational).

Alcohol and Tobacco Tax and Trade Bureau (TTB) - Treasury

ITDS Related Mission

The Alcohol and Tobacco Tax and Trade Bureau (TTB) issues permits to importers of alcohol and tobacco. Without a TTB permit, a person may not import alcohol or tobacco. TTB also approves labels for alcoholic beverages imported into the United States. Alcoholic beverages may not be entered unless their labels have been approved by TTB. CBP enforces both of these requirements for imports through selective examination.

TTB monitors alcohol and tobacco imports and exports to ensure permit, and tax requirements are being met, and also monitors imports of alcoholic beverages to ensure label requirements are met in case of threats to public health. Typically, the information that TTB monitors will be reported to CBP through entry/entry summary messages filed by importers or their agents, or export data filed by exporters.

Planned Data Exchange

TTB will review entry/entry summary data for importations of alcohol and tobacco through the ACE Portal. TTB will update databases of importer permits and approved labels within ACE. ACE will validate the importer permit information and allow for validation of the label approval number filed by importers. TTB will provide CBP access to its data base of approved alcohol labels (COLAS on Line) via an upload to ACE, which will enable ACE to validate the numbers. CBP can also implement a system-to-system interface over the internet that will allow CBP officials to compare the approved label with the actual label on the imported product.

When pursuing an investigation, TTB will have access, through the ACE Portal, to all information collected under CBP authority and other information that CBP has been authorized to share with TTB.

April 12, 2009 - A2.2 (Originally 10/2008) – TTB can access entry summary and collection information to monitor for compliance.

Unscheduled - M2.3 (Originally 6/2010) – TTB will use the ACE Portal to add permit information to ACE importer account files for CBP to use as a reference that eventually will allow ACE to automatically validate permit numbers submitted by importers.

Unscheduled - M3 (Originally 7/2010) – TTB will access export transaction information to monitor for export shipment compliance.

Status

TTB submitted and updated several versions of their Concept of Operations to CBP for review and approval. Currently, TTB is waiting on CBP for their review and approval of the Concept of Operations.

A draft Memorandum of Understanding between TTB and CBP has been prepared and is being reviewed by CBP.

TTB has access now through the ACE Portal to data filed by importers (entry/entry summary data).

TTB has 21 staff with access to the ACE Portal.

Next Steps

TTB and CBP must finalize the appropriate Memoranda of Understanding (Data and Operational).

U.S. Consumer Product Safety Commission (CPSC)

ITDS Related Mission

The U.S. Consumer Product Safety Commission's (CPSC) mission is to protect children and families against unreasonable risk of injury and death from thousands of types of consumer products. Most of the consumer products used by Americans are not manufactured in the United States. Today, over 85 percent of toys, 95 percent of fireworks, and 59 percent of electrical products are manufactured in other countries, notably China.

CPSC is currently using the ACE Portal to identify shipments of potentially non-complying or otherwise unsafe imported products. The agency directs CBP to hold suspect cargo to allow time for CPSC field investigators to conduct on-site examinations.

Planned Data Exchange

CPSC already has access through the ACE Portal to import profiles, shipment data, and importer contact information. Other areas of interest to the agency include streamlining communication with CBP with regard to:

- CPSC decisions to hold/release shipments,
- Products under heightened scrutiny or "alert," and
- Notifications to CBP and the trade during the import process (e.g., Notice of Sample Collection and Conditional Release of Product).

Unscheduled - M1 (Originally 10/2008) – CPSC to identify shipments of suspect consumer product imports and request CBP to hold these goods at arrival to allow CPSC staff to investigate and identify potential consumer safety issues.

Unscheduled - M2.3 (Originally 6/2009) – Again, CPSC to identify shipments of suspect consumer product imports and request CBP to hold these goods at arrival to allow CPSC staff to investigate and identify potential consumer safety issues. CPSC will also use this functionality to provide notifications to CBP and the trade regarding the actions the Commission is taking (e.g., samples, entry refusal).

CPSC is planning a revision of its current case management software IFS (Integrated Field System) to interface with ACE.

CPSC is working with CBP in regards to building rule sets in CBP's Targeting and Screening System (ATS). CPSC and CBP signed a Memorandum of Understanding in April 2010, which allows CPSC access to CBP's Automated Targeting System through the Import Safety Commercial Targeting and Analysis Center (CTAC).

Status

CPSC has conducted operational discussions with CBP and completed a revision of its Concept of Operations. The revised Concept of Operations has been submitted to CBP for approval.

There are 28 CPSC staff members who have access to data on imports through the ACE Portal.

Next Steps

Continue negotiations on the ITDS/ACE Data MOU.

CPSC is working on building rule sets for ATS.

An Operational Memorandum of Understanding has been submitted to CBP for review. The agencies will continue to negotiate the terms of this document.

CPSC is participating in a pilot program that involves incorporating imaging functionality into ACE. CPSC looks forward to this new capability as it will allow for key admissibility documents to be captured.

Environmental Protection Agency (EPA)

ITDS Related Mission

The Environmental Protection Agency (EPA) regulates importation of

- Ozone depleting substances, vehicles and engines, fuels and fuel additives subject to the Clean Air Act (CAA),
- Pesticides subject to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA),
- Chemical substances and chemical mixtures subject to the Toxic Substances Control Act (TSCA), and
- Hazardous wastes subject to the Resource Conservation and Recovery Act (RCRA).

Currently, CBP collects import documentation required by EPA such as the EPA Importation Declaration Forms for vehicles and engines and TSCA certification statements, and follows EPA instructions on the admissibility of pesticides through the Notice of Arrival (NOA) process. EPA performs port of entry inspections, conducts follow-up inspections of these materials at importers of record or ultimate consignees, and carries out other investigative activities for enforcement actions authorized by these four environmental statutes.

Planned Data Exchange

EPA is considering how to use ACE to administer

- Importation Declaration Forms and exception letters for motor vehicles and engines,
- Identification of hazardous waste imports that may have occurred without having obtained consent from EPA,
- Notices of Arrival for pesticides,
- TSCA import requirements, including import certifications, for certain chemical substances and mixtures,
- Import allocations for ozone depleting substances, and
- Determinations of whether fuels or fuel additives are registered with EPA.

EPA is considering how to use ACE to

- Be notified of an importation of regulated products,
- Make admissibility decisions,
- Inform enforcement priorities,
- Review imports of hazardous wastes to assist in determining appropriate follow-up action, and
- Obtain general commodity, importer, and broker import data to review importer compliance, to prepare for facility inspections, and to analyze compiled information.

Some of these functions will be implemented through system-to-system interfaces between ACE and EPA systems. EPA will be able to communicate with CBP border control personnel. EPA will have access to data stored in ACE.

Unscheduled - M1 (Originally June 2009) – EPA will be able to request that suspect shipments be held on the basis of rail or sea manifest information.

Unscheduled - M2.3 – EPA will use ACE to identify and monitor:

- Imports that are regulated by EPA, and
- Expired or otherwise improperly used import permits or certificates.

Unscheduled - M3 – EPA will access export information to monitor regulatory compliance with export requirements.

Status

EPA currently uses the ACE Portal to track shipments of ozone depleting substances, vehicles, or engines subject to CAA standards, pesticides subject to FIFRA, and chemicals regulated under TSCA. Noncompliant or illegal imports have been identified and enforcement actions taken by EPA.

EPA has seven staff members with access to the ACE Portal. EPA plans to increase the number of active users of ACE.

The EPA Concept of Operations has been approved and accepted by Customs and Border Protection. Regulatory changes may be required to implement the planned data exchanges noted above.

Next Steps

Negotiate Memoranda of Understanding (Data and Operational) with CBP that details the cooperative relationship between the two agencies, including such items as respective roles and responsibilities and the rules for sharing of data.

Conduct a demonstration pilot for system-to-system interoperability using web services.

Participate in a pilot to utilize images of EPA-required data for TSCA certifications, FIFRA (Pesticides) Notice of Arrivals (NOAs), and Vehicle/Engine Declarations at select ports of entry.

Federal Communications Commission (FCC)

ITDS Related Mission

The Federal Communications Commission (FCC) prohibits unauthorized electronic radio frequency (RF) devices from entering the United States. The FCC ensures that finished products, as well as products assembled from parts shipped into the Unites States, conform to FCC-prescribed emissions parameters to ensure that these products do not interfere with licensed radio communications. The FCC analyzes entry summary data provided by CBP in order to ensure that importers of certain RF devices have reported to the FCC the information that the FCC requires regarding the importation of RF devices capable of causing harmful interference. Currently, the FCC requires importers to complete FCC Form 740 (Statement regarding the Importation of Radio Frequency Devices Capable of Causing Harmful Interference) or file equivalent information as part of an electronic submission of entry summary data.

Planned Data Exchange

Unscheduled - A2.4 (Originally 1/2011) – FCC to view and extract data on FCC-regulated shipments. In addition, the FCC will use ACE to view corrections of this data made by the importer after completion of the entry process. ACE will also enable the FCC to access entry summary data on an as needed basis in order to enforce RF import requirements. Filing of Form 740 information as part of the entry summary will continue.

Status

The FCC Concept of Operations was approved by the FCC and CBP in February 2007. FCC legal counsel is drafting a Memorandum of Understanding agreement.

The FCC has two staff members with access to the ACE Portal.

Next Steps

CBP to approve FCC Memorandum of Understanding.

Federal Maritime Commission (FMC)

ITDS Related Mission

The Federal Maritime Commission (FMC) registers all Ocean Transportation Intermediaries (OTIs) (freight forwarders and non-vessel operating common carriers) doing business at U.S. ports and issues licenses to domestic OTIs and issues certificates of financial responsibility to Passenger Vessel Operators (PVOs). FMC also publishes quarterly and annual reports on current maritime trading conditions based upon information from CBP, Census, MARAD, USACE, and other sources (these reports are used for monitoring purposes only).

Planned Data Exchange

FMC currently uses the CBP system, the Automated Commercial System, to obtain data filed by importers and carriers.

ACE will give FMC the ability to receive vessel movement data directly instead of through multiple agencies and commercial database sources. FMC will have real-time access to entry summary data filed by importers and manifest and vessel movement data filed by carriers and will be able to run data extracts and queries as needed. The improved timeliness of data accessibility represents a major advancement over current commercial database systems. FMC will have access to entry, entry summary, manifest, and vessel movement data captured in ACE.

FMC will either use online, interactive access to ACE or batch downloads to input license information into ACE on those licenses issued by FMC. This data will be used to validate information provided to CBP by carriers.

August 2007 - A1 – FMC will be able to attach OTI licenses and PVO certificates to carrier accounts. (FMC plans to upload several thousand account-based blanket licenses and certificates.)

Unscheduled - M1 (Originally 10/2008) – FMC will be able to have sea manifest information validated against their list of licensed or registered OTIs. FMC will be able to identify unlicensed or unregistered OTI operators as well as monitor the operation of licensed OTIs and those carriers with whom they do business.

Unscheduled - M2.1 – FMC will be able to have vessel entrance and clearance information validated against its list of registered PVOs and their vessels so that FMC can identify unregistered operators and monitor the operation of certificated PVOs and their vessels.

Status

FMC has 13 staff with access to the ACE Portal.

The current limit on records that may be obtained through a query through the ACE Portal means that the ACE Portal does not currently meet all FMC needs.

The FMC Concept of Operations Version 7.0 is currently under review by CBP.

FMC has also submitted a draft Memorandum of Understanding to CBP but the final agreement awaits approval of their Concept of Operations and consideration of FMC's request for access to the Automated Targeting System for investigative purposes.

Next Steps

CBP approval of FMC Concept of Operations Version 7.0 (dated September 2009).

International Trade Commission (ITC)

ITDS Related Mission

The International Trade Commission (ITC) responds to requests from the President, usually through the United States Trade Representative, and Congress for reports and analysis on matters of international trade.

ITC conducts research and makes determinations concerning unfair trade practices with regard to antidumping and countervailing duty investigations.

ITC also is responsible for maintaining the Harmonized Tariff Schedule of the United States Annotated (HTSUSA). The HTSUSA provides the applicable tariff rates and statistical categories for all merchandise imported into the United States.

Planned Data Exchange

ITC is currently able to obtain entry summary import data through the ACE Portal.

February 2009 – ITC released its new HTS Online Reference Tool, a comprehensive website for users of the HTS which provides a web-based source for HTS-related information. There are direct links to the HTS Online Reference Tool from the ACE Portal.

April 12, 2009 - A2.2 (Originally 10/2008) – ITC can obtain an extract of entry summary data and importer and foreign manufacturer information to use for ITC investigations and certain reports.

Unscheduled - A2.3.1 (Originally 10/2007) – ITC will provide detailed formatted data files electronically to CBP (with such items as staged-rate duty reduction and trade agreement data) to be used to update the HTSUSA file used for processing entry summaries. Also, a unique user role, titled "ITC HTSUSA Administrator," will provide ITC the capability to view and validate the HTSUSA updates that CBP makes.

Unscheduled - A2.3.2 and A2.3.3 (Originally 6/2010) – ITC will have access to the remainder of the entry summary type transaction information for research and analysis.

Status

The ITC Concept of Operations has been approved by CBP. A Memorandum of Understanding has been agreed to, but subsequent deliveries may require an updated Memorandum of Understanding between ITC and CBP.

Currently six ITC staff members have access to data through the ACE Portal.

Nuclear Regulatory Commission (NRC)

ITDS Related Mission

The Nuclear Regulatory Commission (NRC) Office of International Programs issues import and export licenses for certain nuclear material, components, and commodities. In some instances, pre-shipment notifications are required for import or export of radioactive by-product material. The NRC receives these notifications and communicates the notices to Customs and Border Protection (CBP) via email. The NRC coordinates with CBP to deny entry, if required, and provide for safe disposition of cargo.

Planned Data Exchange

The NRC could benefit from accessing data reported during the entry process. NRC will not request any new data elements be provided from the Trade through ACE.

Status

The NRC joined ITDS in January 2007, under a draft Memorandum of Understanding (MOU). Access to ITDS was subsequently suspended pending a finalized MOU.

Next Steps

The NRC is working with CBP to finalize a Data Memorandum of Understanding.

Since the NRC will only access data, a Concept of Operations is not necessary.

Office of the United States Trade Representative (USTR)

ITDS Related Mission

The Office of the United States Trade Representative (USTR) is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and overseeing negotiations with other countries.

Planned Data Exchange and Status

A plan for data exchange has not been developed.

USTR's most likely use would be to download data from the ACE Portal for analysis use in formulating trade policy, negotiating positions, and for evaluating compliance with trade agreements.

Status

The USTR joined ITDS in 1995 and has no persons with ACE Portal access.

U.S. Agency for International Development (USAID)

ITDS Related Mission

The mission of USAID is to provide humanitarian aid and development assistance to lesser developed countries. USAID has become the Federal Government's second largest exporter, behind only the Department of Defense. USAID typically awards contracts/grants to U.S. entities who arrange for delivery of goods/commodities via U.S.-flagged carriers.

The ITDS will enable USAID to track its exports.

Planned Data Exchange

The planned data exchange with ACE has not yet been determined.

Status

USAID joined ITDS in the fourth quarter of 2007.

The USAID has no ACE Portal users.

Next Steps

USAID to prepare draft Concept of Operations for initial submission to CBP.

Appendices

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APPENDIX A.1: LIST OF AGENCIES – ALPHABETICAL BY DEPARTMENT

ITDS Agencies		
	Department or Independent Agency	**Agency/Acronym**
1	Agriculture	AMS, Agricultural Marketing Service
2	Agriculture	APHIS, Animal and Plant Health Inspection Service
3	Agriculture	FAS, Foreign Agricultural Service
4	Agriculture	FSIS, Food Safety and Inspection Service
5	Agriculture	GIPSA, Grain Inspection, Packers and Stockyards Administration
6	Commerce	BIS, Bureau of Industry and Security
7	Commerce	Census, Bureau of the Census
8	Commerce	FTZB, Foreign Trade Zones Board
9	Commerce	IA, Import Administration
10	Commerce	NMFS, National Marine Fisheries Service
11	Defense	USACE, U.S. Army Corps of Engineers
12	Defense	DCMA, Defense Contracts Management Agency
13	Energy	EIA, Energy Information Administration
14	Energy	OFE, Office of Fossil Energy
15	Energy	OGC, Office of General Counsel
16	Interior	FWS, U.S. Fish and Wildlife Service
17	Justice	ATF, Bureau of Alcohol, Tobacco, Firearms, and Explosives
18	Justice	DEA, Drug Enforcement Administration
19	Labor	BLS, Bureau of Labor Statistics
20	Health and Human Services	CDC, Centers for Disease Control and Prevention
21	Health and Human Services	FDA, Food and Drug Administration
22	Homeland Security	CBP, Customs and Border Protection
23	Homeland Security	TSA, Transportation Security Administration
24	Homeland Security	USCG, U.S. Coast Guard
25	State	A/LM, State Despatch Office, Office of Logistics and Management
26	State	OES, Bureau of Oceans and International Environmental and Scientific Affairs
27	State	OFM, Office of Foreign Missions
28	State	DDTC, Directorate of Defense Trade Controls
29	Transportation	BTS, Bureau of Transportation Statistics
30	Transportation	FAA, Federal Aviation Administration
31	Transportation	FHWA, Federal Highway Administration
32	Transportation	MARAD, Maritime Administration
33	Transportation	NHTSA, National Highway Traffic Safety Administration
34	Transportation	PHMSA, Pipeline and Hazardous Materials Safety Administration
35	Transportation	FMCSA, Federal Motor Carrier Safety Administration
36	Treasury	FinCEN, Financial Cimes Enforcement Network
37	Treasury	IRS, Internal Revenue Service
38	Treasury	OFAC, Office of Foreign Assets Control
39	Treasury	TTB, Alcohol and Tobacco Tax and Trade Bureau
40	Independent Agency	CPSC, Consumer Product Safety Commission
41	Independent Agency	EPA, Environmental Protection Agency
42	Independent Agency	FCC, Federal Communications Commission
43	Independent Agency	FMC, Federal Maritime Commission
44	Independent Agency	ITC, U.S. International Trade Commission
45	Independent Agency	NRC, U.S. Nuclear Regulatory Commission
46	Independent Agency	USAID, U.S. Agency for International Development
47	Independent Agency	USTR, U.S. Trade Representative

APPENDIX A.2: LIST OF AGENCIES – ALPHABETICAL BY AGENCY NAME

ITDS Agencies		
	Agency/Acronym	**Department or Independent Agency**
1	AMS, Agricultural Marketing Service	Agriculture
2	APHIS, Animal and Plant Health Inspection Service	Agriculture
3	A/LM, State Despatch Office, Office of Logistics and Management	State
4	ATF, Bureau of Alcohol, Tobacco, Firearms, and Explosives	Justice
5	BIS, Bureau of Industry and Security	Commerce
6	BLS, Bureau of Labor Statistics	Labor
7	BTS, Bureau of Transportation Statistics	Transportation
8	CBP, Customs and Border Protection	Homeland Security
9	CDC, Centers for Disease Control and Prevention	Health and Human Services
10	Census, Bureau of the Census	Commerce
11	CPSC, Consumer Product Safety Commission	Independent Agency
12	DEA, Drug Enforcement Administration	Justice
13	DCMA, Defense Contracts Management Agency	Defense
14	EIA, Energy Information Administration	Energy
15	EPA, Environmental Protection Agency	Independent Agency
16	FAA, Federal Aviation Administration	Transportation
17	FAS, Foreign Agricultural Service	Agriculture
18	FCC, Federal Communications Commission	Independent Agency
19	FDA, Food and Drug Administration	Health and Human Services
20	FHWA, Federal Highway Administration	Transportation
21	FinCEN, Financial Crimes Enforcement Network	Treasury
22	FMC, Federal Maritime Commission	Independent Agency
23	FMCSA, Federal Motor Carrier Safety Administration	Transportation
24	FSIS, Food Safety and Inspection Service	Agriculture
25	FTZB, Foreign Trade Zones Board	Commerce
26	FWS, U.S. Fish and Wildlife Service	Interior
27	GIPSA, Grain Inspection, Packers, and Stockyards Administration	Agriculture
28	IRS, Internal Revenue Service	Treasury
29	IA, Import Administration	Commerce
30	ITC, International Trade Commission	Independent Agency
31	MARAD, Maritime Administration	Transportation
32	NHTSA, National Highway Traffic Safety Administration	Transportation
33	NMFS, National Marine Fisheries Service	Commerce
34	NRC, U.S. Nuclear Regulatory Commission	Independent Agency
35	OES, Bureau of Oceans and International Environmental and Scientific Affairs	State
36	OFAC, Office of Foreign Assets Control	Treasury
37	OFE, Office of Fossil Energy	Energy
38	OFM, Office of Foreign Missions	State
39	OGC, Office of General Counsel	Energy
40	PHMSA, Pipeline and Hazardous Materials Safety Administration	Transportation
41	DDTC, Directorate of Defense Trade Controls	State
42	TSA, Transportation Security Administration	Homeland Security
43	TTB, Alcohol and Tobacco Tax and Trade Bureau	Treasury
44	USACE, U.S. Army Corps of Engineers	Defense
45	USAID, U.S. Agency for International Development	Independent Agency
46	USCG, U.S. Coast Guard	Homeland Security
47	USTR, U.S. Trade Representative	Independent Agency

APPENDIX B: AGENCY BOARD MEMBERS AND CONTACTS

	AGENCY	ACCRNYM	Board Member	Lead Contact	Sr. Official
	Department of Homeland Security	DHS		Chakris Raungtriphop	
DHS	Transportation Security Administration	TSA		Steve Rice	
DHS	U.S. Customs and Border Protection	CBP	Susan Dyszel	Susan Dyszel	Cynthia Allen
USCG	United States Coast Guard	USCG	Susan Henry		Dana Goward
	Department of Commerce	DOC			
DOC	Bureau of the Census (Census)	CENSUS	Diane Oberg	Steve Bulman	Nick Orsini
DOC	Foreign Trade Zones Board	FTZB	Pierre Duy	Elizabeth Whiteman	Stephen Claeys
DOC	National Marine Fisheries Service	NMFS	Chris Rogers	John Reghi	John Oliver
DOC	Import Administration	IA	Tom Futtner	Davina Hashmi	Stephen Claeys
DOC	Bureau of Industry and Security	BIS	Jose Rodriguez	Gerry Horner	Eddie Donnell
	Department of Defense	DOD			
DOD	U.S. Army Corps of Engineers	USACE	Doug McDonald	Doug McDonald	
DOD	Defense Contract Management Agency	DCMA	Genevieve Frost	James Rardon	Michael R. Williams
	Department of Energy	DOE			Robert Corbin
DOE	Office of Fossil Energy	OFE	John Anderson	Lisa Tracy	Guido Dehoratiis
DOE	Office of Oil and Gas	EIA	Mark Mayo	Mark Mayo	John Cook
	Department of the Interior	DOI			
DOI	U.S. Fish and Wildlife Service	FWS	Benito Perez	Sheila Einsweiler	Benito Perez
	Department of Justice	DOJ	Frank Moreno		
DOJ	Bureau of Alcohol, Tobacco, Firearms, and Explosives	ATF	Daniel Privell	LuAnn Alspach	Richard Holgate
DOJ	Drug Enforcement Administration	DEA	Mark Via	Mark Via	Joe Rannazzisi
	Department of Labor	DOL			
DOL	Bureau of Labor Statistics	BLS	Steven Paben	Jeffrey Blaha	William Alterman
	Department of State	STATE			
STATE	Office of Foreign Missions	OFM	Cliff Seagroves	Cliff Seagroves	
STATE	State Despatch Office, Office of Logistics and Management	A/LM	Gerry Marandino	Gerry Marandino	
STATE	Directorate of Defense Trade Controls	PM/DDTC	Patricia Slygh	Patricia Slygh	
STATE	Bureau of Ocean and Scientific Affairs	OES	David Hogan	David Hogan	
	Department of Transportation	DOT			Donna Seymour
DOT	Federal Aviation Administration	FAA	Deborah Johnson		Donna Seymour
DOT	National Highway Traffic Safety Administration	NHTSA	Deborah Johnson	Coleman Sachs	
DOT	Federal Motor Carrier Safety Administration	FMCSA	Deborah Johnson	Marcelo Perez	
DOT	Maritime Administration	MARAD	Deborah Johnson		
DOT	Bureau of Transportation Statistics	BTS	Deborah Johnson		
DOT	Pipeline and Hazardous Materials Safety Administration	PHMSA	Deborah Johnson		
DOT	Federal Highway Administration	FHWA	Deborah Johnson		
	Department of Health and Human Services	HHS			
HHS	Food and Drug Administration	FDA	Max Castillo	Max Castillo	Lori Davis
HHS	Centers for Disease Control and Prevention	CDC	James Seligman	Yoon Miller	Michael Carleton
	Department of Agricultural	USDA	Bruce Summers		
USDA	Agricultural Marketing Service	AMS	Bruce Summers	Michiko Shaw	
USDA	Food Safety and Inspection Service	FSIS	Mary Stanley	Mary Stanley	William Smith
USDA	Animal and Plant Health Inspection Service	APHIS	John Payne	Cornelia Mueller	John Payne
USDA	Foreign Agricultural Service	FAS	Ron Lord	Ron Lord	
USDA	Grain Inspection, Stockyards and Packers Administration	GIPSA	Bryon Reilly		Randall Jones
	Department of Treasury	TREAS		Tim Skud	
Treasury	Internal Revenue Service	IRS	Linda Morris	Linda Morris	Ricky Stiff
Treasury	Alcohol and Tobacco Tax and Trade Bureau	TTB	Jerry Bowerman	Debbie Pereira	Robert Hughes
Treasury	Office of Foreign Assets Control	OFAC	Dale Thompson	Dale Thompson	Liz Farrow
Treasury	Financial Crimes Enforcement Network	FINCEN	Erick Malette		
IND	Federal Communications Commission	FCC	Gabriel Collazo		
IND	U.S. International Trade Commission	ITC	Mara Alexander	Mara Alexander	
IND	Federal Maritime Commission	FMC	Sandra Kusumoto	Jim Carey	Peter King
IND	Environmental Protection Agency	EPA	Andy Battin	Roy Chaudet	
IND	Consumer Product Safety Commission	CPSC	Jim Joholske	Jim Joholske	
IND	U.S. Nuclear Regulatory Commission	NRC	Janice Owens	Steve Baker	
IND	Office of U.S. Trade Representative	USTR	David Walters		
IND	U.S. Agency for International Development	USAID	Paul Vicinanzo	Kenneth Kerttula	

APPENDIX C: ACE PORTAL USERS

Employees Using ACE Portal as of December 10, 2010	
AGENCY	**Total**
AMS	40
APHIS	124
ATF	19
BIS	1
BLS	3
BTS	3
CENSUS	20
CPSC	28
EPA	7
FAS	7
FCC	2
FDA	1
FinCEN	11
FMC	13
FSIS	46
FTZB	2
FWS	114
IA	50
IRS	2
ITC	6
MARAD	5
NHTSA	1
NMFS	71
OFAC	7
OFM	9
TTB	21
USCG	2
Grand Total	**615**
27 Total Number of PGAs on Portal	
615 Total Number of PGA Users on Portal	

APPENDIX D: SAFE PORT ACT TEXT

H.R. 4954

An Act

To improve maritime and cargo security through enhanced layered defenses, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Security and Accountability For Every Port Act of 2006'' or the ''SAFE Port Act''.

SEC. 405. INTERNATIONAL TRADE DATA SYSTEM.

Section 411 of the Tariff Act of 1930 (19 U.S.C. 1411) is amended by adding at the end the following:

''(d) INTERNATIONAL TRADE DATA SYSTEM.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The Secretary of the Treasury (in this subsection, referred to as the 'Secretary') shall oversee the establishment of an electronic trade data interchange system to be known as the 'International Trade Data System' (ITDS). The ITDS shall be implemented not later than the date that the Automated Commercial Environment (commonly referred to as 'ACE') is fully implemented.

''(B) PURPOSE.—The purpose of the ITDS is to eliminate redundant information requirements, to efficiently regulate the flow of commerce, and to effectively enforce laws and regulations relating to international trade, by establishing a single portal system, operated by the United States Customs and Border Protection, for the collection and distribution of standard electronic import and export data required by all participating Federal agencies.

''(C) PARTICIPATION.—

''(i) IN GENERAL.—All Federal agencies that require documentation for clearing or licensing the importation and exportation of cargo shall participate in the ITDS.

''(ii) WAIVER.—The Director of the Office of Management and Budget may waive, in whole or in part, the requirement for participation for any Federal agency based on the vital national interest of the United States.

''(D) CONSULTATION.—The Secretary shall consult with and assist the United States Customs and Border Protection and other agencies in the transition from paper to electronic format for the submission, issuance, and storage of documents relating to data required to enter cargo into the United States. In so doing, the Secretary shall also consult with private sector stakeholders, including the Commercial Operations Advisory Committee, in developing uniform data submission requirements, procedures, and schedules, for the ITDS.

''(E) COORDINATION.—The Secretary shall be responsible for coordinating the operation of the ITDS among the participating agencies and the office within the United States Customs and Border Protection that is responsible

for maintaining the ITDS.

''(2) DATA ELEMENTS.—

''(A) IN GENERAL.—The Interagency Steering Committee (established under paragraph (3)) shall, in consultation with the agencies participating in the ITDS, define the standard set of data elements to be collected, stored, and shared in the ITDS, consistent with laws applicable to the collection and protection of import and export information. The Interagency Steering Committee shall periodically review the data elements in order to update the standard set of data elements, as necessary.

''(B) COMMITMENTS AND OBLIGATIONS.—The Interagency Steering Committee shall ensure that the ITDS data requirements are compatible with the commitments and obligations of the United States as a member of the World Customs Organization (WCO) and the World Trade Organization (WTO) for the entry and movement of cargo.

''(3) INTERAGENCY STEERING COMMITTEE.—There is established an Interagency Steering Committee (in this section, referred to as the 'Committee'). The members of the Committee shall include the Secretary (who shall serve as the chairperson of the Committee), the Director of the Office of Management and Budget, and the head of each agency participating in the ITDS. The Committee shall assist the Secretary in overseeing the implementation of, and participation in, the ITDS.

''(4) REPORT.—The President shall submit a report before the end of each fiscal year to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives. Each report shall include information on—

''(A) the status of the ITDS implementation;

''(B) the extent of participation in the ITDS by Federal agencies;

''(C) the remaining barriers to any agency's participation;

''(D) the consistency of the ITDS with applicable standards established by the World Customs Organization and the World Trade Organization;

''(E) recommendations for technological and other improvements to the ITDS; and

''(F) the status of the development, implementation, and management of the Automated Commercial Environment within the United States Customs and Border Protection.

''(5) SENSE OF CONGRESS.—It is the sense of Congress that agency participation in the ITDS is an important priority of the Federal Government and that the Secretary shall coordinate the operation of the ITDS closely among the participating agencies and the office within the United States Customs and Border Protection that is responsible for maintaining the ITDS.

''(6) CONSTRUCTION.—Nothing in this section shall be construed as amending or modifying subsection (g) of section 301 of title 13, United States Code.

''(7) DEFINITION.—The term 'Commercial Operations Advisory Committee' means the Advisory Committee established pursuant to section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) or any successor committee.''.

APPENDIX E: MEMORANDUM FROM CBP

1300 Pennsylvania Avenue, NW
Washington, DC 20229

U.S. Customs and Border Protection

Commissioner

AUG 18 2006

MEMORANDUM FOR: Timothy Skud
Deputy Assistant Secretary
U.S. Department of the Treasury

FROM: Alan Bersin
Commissioner

SUBJECT: The Way Forward for the International Trade Data System

It was a pleasure meeting with you to discuss the views of the Board of Directors (BOD) of the International Trade Data System (ITDS) regarding concrete measures U.S. Customs and Border Protection (CBP) can take to advance the ITDS program under the Automated Commercial Environment (ACE). You previously referred to the program as the way forward for ITDS. I will take this opportunity to address the three measures you outlined during our discussion.

Measure 1: CBP can immediately add data elements, required by other agencies, to the major import reporting messages (manifest, entry, and entry summary).

CBP recognizes that one of the foundational aims of ITDS is the establishment of the single window for the trade to file the specific data needed to satisfy their obligations to the Federal Government. Since the trade is already filing CBP data via the Automated Broker Interface (ABI), while using the Customs and Trade Automated Interface Requirements (CATAIR) format[1], it is logical to build upon this existing interface. CBP recognizes that collecting the data specific for a Participating Government Agency (PGA) and making it available for PGA's use is a first step in the creation of an integrated, risk-managed, cargo-release system. Refinements, such as data validation, can be added later as the cargo release/entry process is brought under ACE.

In addition, the definition of the PGA-specific data elements and their relationships to CBP entry data will provide the concrete knowledge to allow PGAs to design and to implement their own data systems.

CBP has taken steps to address this measure. CBP and PGAs have worked together on the formation of the ITDS Standard Data Set (SDS) that identifies data elements required by other agencies. In addition, the PGA Message Set has been constructed in the CATAIR format and based on the SDS model. The draft ABI implementation guide for the trade has been written. Building upon these first steps, a set of high-level requirements has been written that further define the scope, challenges, and opportunities of the project.

[1] The CATAIR format is the format that importers and/or their agents use to provide electronic import information via ABI and receive transmissions from ABI.

These requirements include:

- Accepting PGA data through both the Automated Commercial System and ACE messages.
- Passing data through and residing in the ACE Data Warehouse (no editing or validations at this point).
- PGAs will need to view data in ACE (all or nothing view of the data).
- PGAs will need query capabilities to call up data by entry.
- Tying data to the entry it was submitted on.
- Estimated date of arrival and submission date should be included.
- No editing of data.
- Data versioning (do not overwrite data).
- Order of transaction sets should be validated by system.
- Programmed in conjunction with data already accepted by systems for the Lacey Act.

CBP's Targeting and Analysis Systems Project Office (TASPO), Office of Information Technology (OIT), is in the process of determining the cost and schedule of changing its systems to collect this data in order to determine the required level of funding and impact on other automation projects. OIT expects to have this information within two weeks. CBP will then be in a position to determine how best to add data elements required by other agencies to the major import reporting messages.

As this project involves the trade, as well as CBP and the PGAs, additional steps beyond the construction of the technical components will be involved. For example, CBP will need to do the following:

- Consult with the trade on changes to ABI.
- Work with PGAs to ensure that their collection authority includes electronic collection or that regulation changes are accordingly made.
- Notify the trade of the timeline of implementation and testing of new CATAIR messages.
- Publish the CATAIR Implementation Guide.
- Train ABI client representatives on the new messages.
- Test and certify filers on new messages.
- Notify the trade of PGA policies on the use of the new messages for transmitting specific PGA data.
- Train PGAs on retrieval of data transmitted.

CBP will keep you informed as we formulate the implementation plans and await more details to become available.

Measure 2: CBP can develop the capability to accept the transmission of imaged forms such as PDF files, that may currently only be submitted on paper.

CBP recognizes that allowing for the electronic transmission of images is a significant step forward in its modernization efforts. Imaging will provide stakeholders with the ability to transmit scanned images or files, thereby eliminating the need for filers to transmit paper documents to CBP. This will enhance the ability of CBP, the trade, and PGAs to share information, to eliminate redundant work, and to move work around.

CBP has taken a number of steps to address this measure. CBP met with PGAs and the trade to understand their imaging needs. CBP's ACE Business Office, Office of International Trade, and TASPO/OIT, have worked together to design a system that will capture and manage document images submitted by the trade community. The initial goal of the system is to accept images of documents, currently submitted in hard copy to CBP and other Government agencies as part of the cargo import process, although the system has been designed to be flexible in its application to other business domains. The imaging system will be implemented in the following two phases.

- Phase 1 will allow the trade community to send documents to CBP that will be stored in a central repository; the documents will be accessed from that repository with limited integration to external systems.

- Phase 2 will provide the ability to add image management capabilities to external systems. The Document Imaging High-Level Requirements paper, which documents the imaging needs of stakeholders, has been completed and is pending a revalidation by impacted CBP offices, the trade, and PGAs.

CBP plans to implement Phase 1 during September 2010. As PGA imaging requirements are not uniform, CBP will work with PGAs on an implementation schedule. By September 2010, CBP hopes to be able to accept images on behalf of one to two PGAs with additional PGAs added per the implementation schedule.

The implementation of Phase 2 will introduce resource and technical dependencies for the trade, PGAs, and CBP. Business requirements have identified the necessity for integration and functional enhancements to existing CBP and PGA processing systems. Further analysis will be conducted by CBP to determine the potential impact to other OIT development projects. Phase 2 will facilitate the document imaging capabilities between CBP and PGA systems.

Measure 3: CBP can complete its plans for ITDS and make decisions related to the technical interoperability with other agencies' systems in order to allow other agencies to continue with their plans for using ITDS and investing in automated systems to work with ACE/ITDS.

CBP recognizes that many PGAs are moving forward with plans for new or upgraded data systems and that in order to ensure interoperability between CBP and these systems, a common set of technical standards need to be developed. CBP is moving to an enterprise-wide approach to reusable interface service standards. CBP is also addressing this item through an information transmittal and data request to PGAs.

CBP provided PGAs with a set of interfacing protocols that CBP can support and requested that PGAs indicate the protocols that best fit their needs. CBP also requested that PGAs provide information on types of data they need delivered through the interface, the CBP systems where that data is currently residing, and the readiness of the PGAs' information systems to utilize the interface. The questionnaire was due back to CBP on July 22, 2010.

Once CBP has this information, we will work with PGAs on an implementation schedule with the goal of delivering technical interoperability first to PGAs that have interfacing protocols that CBP can support, while working with the remaining PGAs to determine how best to meet their needs. CBP will keep you informed as we formulate the implementation plans and await more details to become available.

Thank you for meeting with me to discuss the interests and priorities of ITDS/BOD. CBP values the close-working relationship it has with ITDS/BOD and is committed to delivering functionality to support the ITDS single window concept.

APPENDIX F: HISTORY OF ITDS

1993: Origins

The original concept for ITDS is documented in the 1993 Future Automated Commercial Environment Team (FACET) Report. Customs commissioned FACET to make recommendations for the redesign of its commercial processing systems. Customs directed the team to examine international trade processes from both the government and the trade community perspectives and to employ modern information management technologies.

The FACET Report included the following key recommendations:

- Original commercial data should be used as the basis for government trade processing.
- Import and export requirements should be standardized and integrated.
- Integrated government oversight of trade.

An integrated trade database and processing infrastructure should address both the needs of the various government agencies as well as the public's need for international trade information.

1995: ITDS Established

In June 1994, the Office of the Vice President issued a report of the National Performance Review entitled Creating a Government That Works Better and Costs Less - Reengineering through Information Technology. That sub-report identified thirteen Information Technology initiatives expected to provide "the essential infrastructure for government of the 21st century...and give citizens broader, timelier access to information and services through efficient, customer-responsive processes."

A multi-agency task force was formed representing 53 agencies to address the sixth recommendation that calls for the implementation of an **International Trade Data System**. This system is to meet the needs of the Federal Government agencies involved in international trade, those of the business community, and the general public.

This report led to Vice Presidential Memorandum IT-06 on September 15, 1995, which chartered the ITDS Project Office in the Department of the Treasury. The project office oversaw the federal government information technology initiative that was tasked to implement an integrated, government-wide system for the electronic collection, use, and dissemination of international trade data. ITDS would provide a single window through which the trade community would submit its commercial data, promising to create a government that works better and costs less by:

- Reducing the cost, and burden of processing international trade transactions for both the private trade community and the government
- Improving the enforcement of and compliance with government trade requirements (e.g., public health, safety, export control, etc.)
- Providing access to more accurate, thorough, and timely international trade data and information

A memorandum from then Vice President Gore chartered the ITDS Board of Directors (ITDS BoD). The ITDS BoD was charged with the responsibility of implementing the ITDS vision by working with federal agencies with missions tied to international trade and transportation on policymaking, planning, and management activities. The ITDS BoD charter was reaffirmed in the February 1997 report "Access America: Reengineering through Information Technology". The ITDS BoD reported to and received authority from, the Government Information Technology Services Board.

1999: ITDS Project Office is Transferred to the U.S. Customs Service

By September 1998, significant progress had been made in understanding and documenting ITDS requirements, and a formal Design Report and Concept of Operations (CONOPS) (along with many other documents) were produced. The multi-agency ITDS BoD gave approval to begin work on a pilot system. The ITDS pilot was called the North American Trade Automation Prototype (NATAP) and was the proof of concept for ITDS demonstrating not only domestic harmonization/sharing but also international harmonization with Canada and Mexico. As the work began, it became obvious that ITDS would provide benefits to multiple federal agencies, especially the U.S. Customs Service. As a result, in November 1999, the ITDS Project Office was transferred from the Department of the Treasury headquarters to the U.S. Customs Service.

2001: The Short-lived ITDS Pilot Goes Live

ITDS design and implementation were integrated with Customs modernization and the Automated Commercial Environment (ACE) design and development in early 2000, under the joint oversight of the Customs Modernization Office (CMO) and the ITDS BoD. Under this arrangement, the goals for the ITDS pilot were refined to fit better into the Customs operational environment and to reduce the impact on filers who needed to continue to use the Automated Commercial System (ACS) for the vast majority of their electronic interactions with Customs. In August 2001, the ITDS pilot project went live in Buffalo, New York. However, it was suspended on September 11, 2001 due to operational considerations at the port following the terrorist attacks, and not re-implemented.

2003 & Going Forward: The ITDS Vision to be Fulfilled Through PGA Integration into ACE

In March 2003, the ITDS Project Office moved to the Department of Homeland Security (DHS) with the creation of U.S. Customs and Border Protection (CBP). The ITDS BoD and CBP are working together to aid these participating government agencies (PGAs) in making use of ACE to support their border security, national safety and international trade missions. Today, ITDS is the program that assists the PGAs as they prepare for, integrate their business requirements into, deploy, and sustain ACE. In addition, the program provides guidance on the legal implications of PGA integration into ACE and serves as a forum for agency issues. True to its domestic and global harmonization roots, the ITDS program also spearheads the development and maintenance of the ACE/ITDS Standard Data Set (SDS). This SDS is intended to provide the data needs of the collective PGAs within the ACE development effort as it applies to the collecting and processing of import, export and transportation-related transaction information. The SDS will be aligned to the international standards set by the World Customs Organization (WCO). The goal is to eliminate redundant and obsolete reporting requirements. This allows ACE to offer single window filing to the trade community and supports the WCO's efforts to facilitate the exchange of information between those government agencies that regulate international trade worldwide.

2006: The SAFE Port Act Provides Statutory basis for ITDS

In October 2006, Congress recognized the value of the ITDS concept in the SAFE Port Act, (P.L. 109-347, October 13, 2006) which directed the Secretary of the Treasury to oversee the establishment of an electronic trade data interchange system to be known as the 'International Trade Data System' (ITDS) with the purpose of eliminating redundant information requirements, to efficiently regulate the flow of commerce, and to effectively enforce laws and regulations relating to international trade, by establishing a single portal system, operated by CBP, for the collection and distribution of standard electronic import and export data required by all participating Federal agencies. The Secretary of the Treasury was directed to coordinate interagency participation, in consultation with an interagency committee that included agencies participating in ITDS and the Office of Management and Budget. The Act mandated that all "agencies that require documentation for clearing or licensing the importation and exportation of cargo" participate in ITDS, unless granted a waiver by OMB.

AGENCY	OR&R Contact	Completed MOU Template Submitted to CBP	MOU in Final Review
FDA HAVE A COMMODITY ANALYST ROLE	SG	YES	
FSIS HAVE A LPC ADMIN. ROLE	BB	YES	
CDC	SG	YES	
APHIS HAVE A LPC ADMIN. ROLE	BB	YES	
CPSC HAVE A COMMODITY ANALYST ROLE	KKV	YES	
EPA HAVE A COMMODITY ANALYST ROLE	MB	YES	
NRC --- Nuclear Regulatory Commission	MAS	YES	
ATF HAVE A LPC ADMIN. ROLE	JC	YES	8/30/10: submitted to CBP Privacy to begin CBP review and clearance.
DEA	MS	YES	
TTB HAVE A LPC ADMIN. ROLE	JC	YES	
FWS HAVE A COMMODITY ANALYST ROLE	BB	YES	
FCC HAVE A LPC ADMIN. ROLE	SG	NO	
NMFS HAVE A COMMODITY ANALYST ROLE	KKV	YES	
AMS HAVE A LPC ADMIN. ROLE	BB	YES	MOU forwarded under blue-sheet, **12/01/2009.**
DOS – Foreign Missions	MS	YES, draft received 7-10-2008.	

AGENCY	OR&R Contact	Completed MOU Template Submitted to CBP	MOU in Final Review
IA (non-ISWG) **HAVE A COMMODITY ANALYST ROLE**	SG	YES	
Dept. of Transportation - *NHTSA* *FAA* *BTS* *MARAD* HAVE A LPC ADMIN. ROLE	MB	YES Will be part of combined MOU with DOT	
BLS – U.S. Bureau of Labor Statistics HAVE A COMMODITY ANALYST ROLE	MAS	YES	MOU forwarded under Blue Sheet (5/5/10)
Census	BB	YES	
FMC HAVE A LPC ADMIN. ROLE	MB	YES	
FMCSA	KKV	YES	***MOU SIGNED BY BOTH PARTIES.*** ***PROCESS COMPLETE***
FTZB	SG	YES	
IRS HAVE A COMMODITY ANALYST ROLE	LP	YES	
ITC		NO	
OFAC HAVE A LPC ADMIN. ROLE	MB	YES	
USACE HAVE A COMMODITY ANALYST ROLE	BB	NO	
DDTC **(**Directorate of Defense Trade Controls, Dept of State) RESEARCH & ANALYSIS ROLE	MAS	NO DDTC submitted ltr requesting establishment of Ltr of Exchange	

APPENDIX H: AGENCY CONCEPT OF OPERATIONS STATUS

P.O.	Agency Name	Dates to OFO or OT	Discussion/ Review Dates	Remediation Dates	Disposition
AR	Agriculture Marketing Service (USDA)	11/7/2006 OFO 5/7/07		2/8/2007	OT Approved 9/18/07 OFO Approved 4/2/08
HD	Alcohol Tax & Trade Bureau (Treasury)	2/14/2006 OFO	4/6/2006 scheduled for late August 2007, date TBD		CBP Approved 10/7/10
AR	Animal & Plant Health Inspection Service (USDA)	10/10/2007 OT	12/5/2007 01/09/08		CBP Approved
HD	Army Corps of Engineers (Defense Dept.)	5/26/2006 OFO Updated 11/28/06	5/25/2006	NA	OT/OFO Approved
HD	Bureau of Alcohol Tobacco Firearms & Explosives (DoJ)	2/6/2006 OFO	4/6/2006 12/13/07	12/13/2007	CBP Approved 6/26/09
TC	Bureau of Labor Statistics (Labor)	1/18/2006 OFO	5/2/2006	NA	OFO Approved
MC	Bureau of Census (Commerce)	5/25/2006 OFO Updated 11/28/06 5/11/07	5/25/2006 Telecon 08/10/07	Ongoing	OT/OFO Approved
VM	Coast Guard		3/17/2010		OT 3/17/10. OFO 5/18/10 CBP Approved 6/9/10
AR	Consumer Product Safety Commission (CPSC)	10/2/08 OT	Scheduled for Review 10/12/08 11/12/2008, 4/2010	Ongoing	Pending CPSC Revision and Review of Changes April 2010
VM	Environment Protection Agency	12/1/2107	1/29/2008		CBP Approved 6/24/2010
HD	Department of Transportation (Consolidated) - Federal Aviation Administration (FAA) - Maritime Administration (MARAD) - National Highway Traffic Safety Administration (NHTSA) - Research & Innovative Technology Administration (RITA) - Bureau of Transportation Statistics (BTS) - Pipeline & Hazardous Materials Safety Administration (PHMSA) - Federal Highway Administration (FHWA)	6/8/2007	7/19/2007	Ongoing	CBP Approved 7/23/09
HD	Federal Communications Commission (FCC)	2/9/2006	4/6/2006		OFO Approved
HD VM	Federal Maritime Commission (FMC)	3/29/2006 OFO Updated 11/7/06 & 2/28/07, Updated 9/2009	4/6/2006 OFO email 12/17/07		In bluesheet for approval Octobber 2009 (document lost at OFO/RRB). Second Re-route to OFO June 2010. Final approval 9/13/10
HD	Federal Motor Carrier Safety Administration (DoT)	3/27/07 OFO& OT	5/9/2007		Approval for Phase 1 Only 12/31/07
HD VM	Food and Drug Administration (HHS)	6/29/07 OT	8/16/2007 12/12/07		OT/OFO Approved 4/2/10
AR	Food Safety & Inspection Service (USDA)	7/26/2006 OFO	7/26/2006	2/8/2006	OT Approved 03/2010 OFO Approved 06/10/2010 CBP Aprroved 6/10/2010
HD	Foreign Trade Zone Board (Commerce)	2/3/2006 OFO	5/2/2006		OT/OFO Approved
AR	Fish & Wildlife Service (Interior)	8/28/2006 OFO	9/6/06 09/26/06 02/28/07 05/08/07	2/28/2007, 3/21/07, 8/3/09	Multiple legal issues remain
MM	Import Administration (Commerce)	10/10/2007 OT	Resubmitted to OT on 9/18/08		Construction concurrent with ESAR requirements
AR	Internal Revenue Service (Treasury)	9/21/07 OT	12/18/2007		CBP Approved 7/23/09
AR	Internal Revenue Service (Treasury) - Addendum 1.0	11/20/2008	11/20/2008	NA	CBP Approved 7/23/09
TC	International Trade Commission (ITC)	2/6/2006 OFO	5/2/2006		OT/OFO Approved
AR	National Marine Fisheries Service (Commerce)	10/1/08 OT	11/13/2008		CBP Approved 7/23/09
AR	Office of Foreign Assets Control (Treasury)	2/1/2006 OFO	5/2/2006		OFO Approved
AR	Diplomatic Security (DS)/Office of Foreign Missions (OFM) (STATE)	7/14/08 OT	8/14/2008 resubmitted to OT 11/20/2008		CBP Approved 7/23/09