

# U.S. Customs and Border Protection



## **MODIFICATION OF NATIONAL CUSTOMS AUTOMATION PROGRAM (NCAP) TEST CONCERNING AUTOMATED COMMERCIAL ENVIRONMENT (ACE) CARGO RELEASE FOR TYPE 03 ENTRIES AND FOR TRUCK CARRIERS**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This document announces U.S. Customs and Border Protection's (CBP's) plan to modify the National Customs Automation Program (NCAP) test concerning Automated Commercial Environment (ACE) cargo release to allow importers and customs brokers to file type 03 entries for all modes of transportation and to file, for cargo transported in the truck mode, entries for split shipments or partial shipments and entry on cargo which has been moved in-bond from the first U.S. port of unloading.

**DATES:** The ACE Cargo Release Test modifications became effective on March 1, 2015. The ACE Cargo Release Test will continue until CBP publishes in the **Federal Register** an announcement of its conclusion.

**ADDRESSES:** Comments or questions concerning this notice and indication of interest in participation in ACE Cargo Release Test should be submitted, via email, to Steven Zaccaro at *steven.j.zaccaro@cbp.dhs.gov*. In the subject line of your email, please use, "Comment on ACE Cargo Release 03 Entries and Truck Mode." The body of the email should identify the ports where filings are likely to occur.

**FOR FURTHER INFORMATION CONTACT:** For policy questions related to ACE, contact Josephine Baiamonte, Acting Director, Business Transformation, ACE Business Office, Office of International Trade, at *josephine.baiamonte@dhs.gov*. For policy questions related to ISF, contact Craig Clark, Program Manager, Cargo and Conveyance Security, Office of Field Operations, at *craig.clark@cbp.dhs.gov*. For technical questions, contact Steven

Zaccaro, Client Representative Branch, ACE Business Office, Office of International Trade, at [steven.j.zaccaro@cbp.dhs.gov](mailto:steven.j.zaccaro@cbp.dhs.gov).

## **SUPPLEMENTARY INFORMATION:**

### **Background**

#### **I. The National Customs Automation Program**

This test notice, and the Customs related electronic functions it describes, are part of the National Customs Automation Program (NCAP). NCAP was established in Subtitle B of Title VI—Customs Modernization, in the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057, 2170, December 8, 1993) (Customs Modernization Act). *See* 19 U.S.C. 1411. Through NCAP, the initial focus of customs modernization was on trade compliance and the development of the Automated Commercial Environment (ACE), the planned successor to the legacy Customs Automated Commercial System (ACS). ACE is an automated and electronic system for commercial trade processing. ACE will streamline business processes, facilitate growth in trade, ensure cargo security, and foster participation in global commerce, while ensuring compliance with U.S. laws and regulations and reducing costs for CBP and all its communities of interest. The ability to meet these objectives depends upon successfully modernizing CBP’s business functions and the information technology that supports those functions. CBP’s modernization efforts are accomplished through phased releases of ACE component functionality, designed to introduce a new capability or to replace a specific legacy ACS function. Each release will begin with a test, and will end with mandatory compliance with the new ACE feature, thus retiring the legacy ACS function. Each release builds on previous releases, and sets the foundation for subsequent releases.

The ACE Cargo Release test was previously known as the Simplified Entry Test, because the test simplified the entry process by reducing the number of data elements required to obtain release for cargo transported by air. The original test notice required participants to be a member of the Customs-Trade Partnership Against Terrorism (C-TPAT) program. Through phased releases of ACE component functionality, this test has been expanded to allow all eligible participants to join the test for an indefinite period regardless of the C-TPAT status of an importer self-filer or a customs broker. CBP also expanded the ACE Cargo release test to allow ACE-participating brokers and importers to file for release of cargo transported by air, ocean, or rail. *See* 79 FR 6210 (February 3, 2014). For these three modes of transportation, CBP limited the ACE Cargo Release test to formal consumption entries, which ACS termed Type 01 entries; and

to informal entries, which ACS termed Type 11 entries. *See* 79 FR 6210.

On May 2, 2014, CBP published a **Federal Register** notice to announce its expansion of the ACE Cargo Release test to allow ACE-participating brokers and importers to file for release of cargo transported by truck, but only for Type 01 and Type 11 entries. 79 FR 25142 (May 2, 2014). In that phase of the ACE Cargo Release test, however, for cargo transported by truck, CBP excluded split shipments, partial shipments, entry on cargo that has been moved in-bond from the first U.S. port of unloading, and entries requiring PGA information.

For the convenience of the public, all **Federal Register** publications detailing ACE test developments in Entry, Summary, Accounts, and Revenue (ESAR) are listed chronologically at the end of this notice, in Section VI. “*Development of ACE Prototypes.*” CBP’s ACE eligibility criteria, technical specifications, recordkeeping requirements, and rules, as specified in prior NCAP test notices for ACE, remain in effect unless CBP publishes a notice, such as this one, that explicitly announces a change.

## **II. Authorization for the Test**

The Customs Modernization provisions in the North American Free Trade Agreement Implementation Act provide the Commissioner of CBP with authority to conduct limited test programs or procedures designed to evaluate planned components of the NCAP. This test is authorized pursuant to § 101.9(b) of the CBP Regulations (19 CFR 101.9(b)) which provides for the testing of NCAP programs or procedures. *See* Treasury Decision (T.D.) 95–21.

## **III. Modification of ACE Cargo Release Test To Include Type 03 Entries, and To Expand Cargo Release Filing Capabilities for Cargo Conveyed by Truck**

This notice announces that, as an addition to Type 01 and Type 11 entries, CBP is now allowing brokers and importers, who are also ACE participants, to file, for air, ocean, rail, and truck modes of transportation, a simplified entry for release of cargo subject to an antidumping or countervailing duty proceeding, which ACS termed Type 03 entries.

This notice also announces that CBP is now allowing ACE-participating brokers and importers to file for release of cargo transported by truck that are split shipments, partial shipments, entry on cargo that has been moved in-bond from the first U.S. port of unloading.

### *Eligibility Requirements*

To be eligible to apply for this test, the applicant must: (1) Be a self-filing importer who has the ability to file ACE Entry Summaries certified for cargo release or a broker who has the ability to file ACE Entry Summaries certified for cargo release; or (2) have evinced the intent to file entry summaries in ACE.

Parties seeking to participate in this test must use a software package that has completed Automated Broker Interface (ABI) certification testing for ACE and offers the ACE Cargo Release (SE) message set prior to transmitting data under the test. *See* the General Notice of August 26, 2008 (73 FR 50337) for a complete discussion on procedures for obtaining an ACE Portal Account. Importers not self-filing must be sure their broker has the capability to file entry summaries in ACE.

### *Document Image System (DIS)*

Parties who file entry summaries in ACE are allowed to submit specified CBP and PGA documents via a CBP-approved Electronic Data Interchange (EDI). In a notice published in the **Federal Register** (79 FR 36083) on June 25, 2014, CBP set forth the rules for filing submissions via DIS and a list of CBP and PGA forms that may be submitted via DIS. For technical information about how ACE participants may build an interface to connect with CBP DIS, see [http://www.cbp.gov/sites/default/files/documents/dis\\_implementation\\_guide\\_3.pdf](http://www.cbp.gov/sites/default/files/documents/dis_implementation_guide_3.pdf).

### *Test Participation Selection Criteria*

The ACE Cargo Release test is open to all importers and customs brokers filing ACE Entry Summaries for cargo transported in the ocean, rail, and truck modes. CBP will endeavor to accept all new eligible applicants on a first come, first served basis; however, if the volume of eligible applicants exceeds CBP's administrative capabilities, CBP will reserve the right to select importer and exporter participants based upon entry filing volume, diversity of clients or of industries represented, while giving consideration to the order in which CBP received the requests to participate.

Any party seeking to participate in this test must provide CBP, in their request to participate, their filer code and the port(s) at which they are interested in filing ACE Cargo Release transaction data. At this time, ACE Cargo Release data may be submitted only for entries filed at certain ports. A current listing of those ports may be found on

the following Web site: <http://www.cbp.gov/document/guidance/ace-cargo-release-pilot-ports>. CBP may expand to additional ports in the future.

### *Filing Capabilities*

The filing capabilities for the ACE Cargo Release test set forth in a **Federal Register** notice (79 FR 25142) continue to apply and are now expanded to include ACE-participating importers and customs brokers filing for cargo transported in the truck mode, to allow for automated corrections and cancellations, split shipments, partial shipments, entry on cargo which has been moved by in-bond from the first U.S. port of unloading, and entry for a full manifested bill quantity. These new capabilities include functionality specific to the filing and processing of Type 01, Type 03, and Type 11 for cargo conveyed by air, ocean, rail, or truck mode of transportation. The ACE Cargo Release filing capabilities serve to assist the importer in completion of entry as required by the provisions of 19 U.S.C. 1484(a)(1)(B).

### *Data Elements To Be Filed*

In lieu of filing CBP Form 3461 data, the importer or broker acting on behalf of the importer must file the following 12 data elements (known as the ACE Cargo Release Data set) with CBP:

- (1) Importer of Record Number.
- (2) Buyer name and address.
- (3) Buyer Employer Identification Number (consignee number).
- (4) Seller name and address.
- (5) Manufacturer/supplier name and address.
- (6) HTS 10-digit number.
- (7) Country of origin.
- (8) Bill of lading/house air waybill number.
- (9) Bill of lading issuer code.
- (10) Entry number.
- (11) Entry type.
- (12) Estimated shipment value.

For cargo transported by ocean or by rail, the filer has the option, but is not required, to provide the following three (3) data elements:

- (13) Ship to party name and address (optional).
- (14) Consolidator name and address (optional).
- (15) Container stuffing location (optional).

To enable enhanced functionality in ACE Cargo Release, the ACE-participating importer or broker may provide an additional three (3) data elements if applicable, for cargo transported by air, ocean, rail, or truck:

(16) Port of Entry (if an in-bond number is provided in the entry submission, the planned port of entry must also be provided).

(17) In-Bond number (if an in-bond shipment).

(18) Bill Quantity (if bill of lading quantity is specified in the entry, it becomes the entered and released quantity for that bill. If the bill quantity is not specified, full bill quantity will be entered and released for that bill).

Data element (1) and data elements (6) through (12) are defined in the same manner as when they are used for entry filing on the CBP Form 3461. Data elements (2) through (5) and (13) through (15) are defined in accordance with the provisions of 19 CFR 149.3.

The ACE Cargo Release Data set may be filed at any time prior to arrival of the cargo in the United States port of arrival with the intent to unlade. This data fulfills merchandise entry requirements and allows for earlier release decisions and more certainty for the importer in determining the logistics of cargo delivery.

### *Functionality*

Upon receipt of the ACE Cargo Release data, CBP will process the submission and will subsequently transmit its cargo release decision to the filer. If a subsequent submission is submitted to CBP, CBP's decision regarding the original submission is no longer controlling.

The merchandise will then be considered to be entered upon its arrival in the port with the intent to unlade, as provided by current 19 CFR 141.68(e).

## **V. Misconduct Under the Test**

An ACE test participant may be subject to civil and criminal penalties, administrative sanctions, liquidated damages, and/or suspension from this test for any of the following:

Failure to follow the terms and conditions of this test.

Failure to exercise reasonable care in the execution of participant obligations.

Failure to abide by applicable laws and regulations.

Suspensions for misconduct will be administered by the Executive Director, Trade Policy and Programs, Office of International Trade, CBP Headquarters. A written notice proposing suspension will be issued to the participant that apprises the participant of the facts or conduct warranting suspension and informs the participant of the date the suspension will begin. Any decision proposing suspension of a participant may be appealed in writing to the Assistant Commissioner, Office of International Trade within 15 calendar days of the notification date. An appeal of a decision of proposed suspension must

address the facts or conduct charges contained in the notice and state how compliance will be achieved. In cases of non-payment, late payment, willful misconduct or where public health interests or safety is concerned, a suspension may be effective immediately.

## **VI. Development of ACE Prototypes**

A chronological listing of **Federal Register** publications, which describe ACE test developments, is provided, below.

ACE Portal Accounts and Subsequent Revision Notices: 67 FR 21800 (May 1, 2002); 69 FR 5360 and 69 FR 5362 (February 4, 2004); 69 FR 54302 (September 8, 2004); 70 FR 5199 (February 1, 2005). ACE System of Records Notice: 71 FR 3109 (January 19, 2006).

Terms/Conditions for Access to the ACE Portal and Subsequent Revisions: 72 FR 27632 (May 16, 2007); 73 FR 38464 (July 7, 2008).

ACE Non-Portal Accounts and Related Notice: 70 FR 61466 (October 24, 2005); 71 FR 15756 (March 29, 2006).

ACE Entry Summary, Accounts and Revenue (ESAR I) Capabilities: 72 FR 59105 (October 18, 2007).

ACE Entry Summary, Accounts and Revenue (ESAR II) Capabilities: 73 FR 50337 (August 26, 2008); 74 FR 9826 (March 6, 2009).

ACE Entry Summary, Accounts and Revenue (ESAR III) Capabilities: 74 FR 69129 (December 30, 2009).

ACE Entry Summary, Accounts and Revenue (ESAR IV) Capabilities: 76 FR 37136 (June 24, 2011).

Post-Entry Amendment (PEA) Processing Test: 76 FR 37136 (June 24, 2011).

ACE Announcement of a New Start Date for the National Customs Automation Program Test of Automated Manifest Capabilities for Ocean and Rail Carriers: 76 FR 42721 (July 19, 2011).

ACE Simplified Entry: 76 FR 69755 (November 9, 2011).

National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS): 77 FR 20835 (April 6, 2012).

National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Simplified Entry: Modification of Participant Selection Criteria and Application Process: 77 FR 48527 (August 14, 2012).

Modification of NCAP Test Regarding Reconciliation for Filing Certain Post-Importation Preferential Tariff Treatment Claims under Certain FTAs: 78 FR 27984 (May 13, 2013).

Modification of Two National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS) and Simplified Entry (SE): 78 FR 44142 (July 23, 2013).

Modification of Two National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS) and Simplified Entry (SE); Correction: 78 FR 53466 (August 29, 2013).

Modification of NCAP Test Concerning Automated Commercial Environment (ACE) Cargo Release (formerly known as Simplified Entry): 78 FR 66039 (November 4, 2013).

Post-Summary Corrections to Entry Summaries Filed in ACE Pursuant to the ESAR IV Test: Modifications and Clarifications: 78 FR 69434 (November 19, 2013).

National Customs Automation Program (NCAP) Test Concerning the Submission of Certain Data Required by the Environmental Protection Agency and the Food Safety and Inspection Service Using the Partner Government Agency Message Set Through the Automated Commercial Environment (ACE): 78 FR 75931 (December 13, 2013).

Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Ocean and Rail Carriers: 79 FR 6210 (February 3, 2014).

Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release To Allow Importers and Brokers To Certify From ACE Entry Summary: 79 FR 24744 (May 1, 2014).

Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Truck Carriers: 79 FR 25142 (May 2, 2014).

Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment Document Image System: 79 FR 36083 (June 25, 2014).

eBond Test: 79 FR 70881 (November 28, 2014); 80 FR 899 (January 7, 2015).

Dated: March 24, 2015.

BRENDA B. SMITH,  
*Assistant Commissioner,  
Office of International Trade.*

[Published in the Federal Register, March 27, 2015 (80 FR 16414)]

**AGENCY INFORMATION COLLECTION ACTIVITIES:**  
**Application for Foreign-Trade Zone Admission and/or Status**  
**Designation, and Application for Foreign-Trade Zone**  
**Activity Permit**



**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day notice and request for comments; extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Application for Foreign-Trade Zone Admission and/or Status Designation (CBP Forms 214, 214A, 214B, and 214C) and Application for Foreign-Trade Zone Activity Permit (CBP Form 216). CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before May 26, 2015 to be assured of consideration.

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

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and

operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Application for Foreign-Trade Zone Admission and/or Status Designation, and Application for Foreign-Trade Zone Activity Permit.

**OMB Number:** 1651-0029.

**Form Number:** 214, 214A, 214B, 214C, and 216.

**Abstract:** Foreign trade zones (FTZs) are geographical enclaves located within the geographical limits of the United States but for tariff purposes are considered to be outside the United States. Imported merchandise may be brought into FTZs for storage, manipulation, manufacture or other processing and subsequent removal for exportation, consumption in the United States, or destruction. A company bringing goods into an FTZ has a choice of zone status (privileged/non-privileged foreign, domestic, or zone-restricted), which affects the way such goods are treated by Customs and Border Protection (CBP) and treated for tariff purposes upon entry into the customs territory of the U.S.

CBP Forms 214, 214A, 214B, and 214C, which make up the *Application for Foreign-Trade Zone Admission and/or Status Designation*, are used by companies that bring merchandise into an FTZ to register the admission of such merchandise into FTZs and to apply for the appropriate zone status. CBP Form 216, *Foreign-Trade Zone Activity Permit*, is used by companies to request approval to manipulate, manufacture, exhibit, or destroy merchandise in an FTZ.

These FTZ forms are authorized by 19 U.S.C. 81 and provided for by 19 CFR 146.22, 146.32, 146.41, 146.44, 146.52, 146.53, and 146.66. These forms are accessible at: <http://www.cbp.gov/newsroom/publications/forms>.

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to CBP Forms 214, 214A, 214B, 214C, and 216.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses.

### **Form 214, Application for Foreign-Trade Zone Admission and/or Status Designation**

**Estimated Number of Respondents:** 6,749.

**Estimated Number of Annual Responses per Respondent:**  
25.

**Estimated Total Annual Responses:** 168,725.

**Estimated Time per Response:** 15 minutes.

**Estimated Total Annual Burden Hours:** 42,181.

**Form 216, Application for Foreign-Trade Zone Activity Permit**

**Estimated Number of Respondents:** 2,500.

**Estimated Number of Annual Responses per Respondent:**  
10.

**Estimated Total Annual Responses:** 25,000.

**Estimated Time per Response:** 10 minutes.

**Estimated Total Annual Burden Hours:** 4,167.

Dated: March 23, 2015,

TRACEY DENNING,  
*Agency Clearance Officer,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, March 27, 2015 (80 FR 16417)]

**AGENCY INFORMATION COLLECTION ACTIVITIES:**

**Customs Declaration**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Customs Declaration (CBP Form 6059B). CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before May 26, 2015 to be assured of consideration.

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

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Customs Declaration.

**OMB Number:** 1651-0009.

**Form Number:** CBP Form 6059B.

**Abstract:** CBP Form 6059B, Customs Declaration, is used as a standard report of the identity and residence of each person arriving in the United States. This form is also used to declare imported articles to U.S. Customs and Border Protection (CBP) in accordance with 19 CFR 122.27, 148.12, 148.13, 148.110, 148.111, 1498; 31 CFR 5316 and section 498 of the Tariff Act of 1930, as amended (19 U.S.C. 1498).

Section 148.13 of the CBP regulations prescribes the use of the CBP Form 6059B when a written declaration is required of a traveler entering the United States. Generally, written declarations are required from travelers arriving by air or sea. Section 148.12 requires verbal declarations from travelers

entering the United States. Generally, verbal declarations are required from travelers arriving by land.

A sample of CBP Form 6059B can be found at: <http://www.cbp.gov/travel/us-citizens/sample-declaration-form>.

**Current Actions:** This submission is being made to extend the expiration date of this information collection with no change to the burden hours or to CBP Form 6059B.

**Type of Review:** Extension (without change).

**Affected Public:** Individuals.

*CBP Form 6059B:*

**Estimated Number of Respondents:** 104,506,000.

**Estimated Number of Total Annual Responses:** 104,506,000.

**Estimated Time per Response:** 4 minutes.

**Estimated Total Annual Burden Hours:** 7,001,902.

*Verbal Declarations:*

**Estimated Number of Respondents:** 233,000,000.

**Estimated Number of Total Annual Responses:** 233,000,000.

**Estimated Time per Response:** 10 seconds.

**Estimated Total Annual Burden Hours:** 669,000.

Dated: March 23, 2015.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, March 27, 2015 (80 FR 16416)]

## **AGENCY INFORMATION COLLECTION ACTIVITIES:**

### **Entry/Immediate Delivery Application and ACE Cargo Release**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 30-Day notice and request for comments; extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Entry/Immediate Delivery Application (Forms 3461

and 3461 ALT) and ACE Cargo Release. CBP is proposing that this information collection be extended with a change to the burden hours. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before April 29, 2015 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or faxed to (202) 395-5806.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** This proposed information collection was previously published in the **Federal Register** (80 FR 3973) on January 26, 2015, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Entry/Immediate Delivery Application and ACE Cargo Release.

**OMB Number:** 1651-0024.

**Form Number:** 3461 and 3461 ALT.

**Abstract:** All items imported into the United States are subject to examination before entering the commerce of the United States. There are two procedures available to effect the release of imported merchandise, including “entry” pursuant to 19 U.S.C. 1484, and “immediate delivery” pursuant to 19 U.S.C. 1448(b). Under both procedures, CBP Forms 3461, Entry/Immediate Delivery, and 3461 ALT are the source documents in the packages presented to Customs and Border Protection (CBP). The information collected on CBP Forms 3461 and 3461 ALT allow CBP officers to verify that the information regarding the consignee and shipment is correct and that a bond is on file with CBP. CBP also uses these forms to close out the manifest and to establish the obligation to pay estimated duties in the time period prescribed by law or regulation. CBP Form 3461 is also a delivery authorization document and is given to the importing carrier to authorize the release of the merchandise.

CBP Forms 3461 and 3461 ALT are provided for by 19 CFR parts 141 and 142. These forms and instructions for Form 3461 are accessible at: <http://www.cbp.gov/newsroom/publications/forms>. ACE Cargo Release is a program for ACE entry summary filers in which importers or brokers may file Simplified Entry data in lieu of filing the CBP Form 3461. This data consists of 12 required elements: Importer of record; buyer name and address; buyer employer identification number (consignee number), seller name and address; manufacturer/supplier name and address; Harmonized Tariff Schedule 10-digit number; country of origin; bill of lading; house air waybill number; bill of lading issuer code; entry number; entry type; and estimated shipment value. Three optional data elements are the container stuffing location; consolidator name and address, and ship to party name and address. The data collected under the ACE Cargo Release program is intended to reduce transaction costs, expedite cargo release, and enhance cargo security. ACE Cargo Release filing minimizes the redundancy of data submitted by the filer to CBP through receiving carrier data from the carrier. This design allows the participants to file earlier in the transportation flow. Guidance on using ACE Cargo Release may be found at <http://www.cbp.gov/trade/ace/features>.

**Current Actions:** This submission is being made to extend the expiration date with a change in the burden hours resulting from the transition from Form 3461 to ACE Cargo Release. There are no changes to the information collected.

**Type of Review:** Extension (with change).

**Affected Public:** Businesses.

### **CBP Form 3461**

**Estimated Number of Respondents:** 3,014.

**Estimated Number of Responses per Respondent:** 1,410.

**Estimated Total Annual Responses:** 4,249,740.

**Estimated Time per Response:** 15 minutes.

**Estimated Total Annual Burden Hours:** 1,062,435.

### **CBP Form 3461 ALT**

**Estimated Number of Respondents:** 6,795.

**Estimated Number of Responses per Respondent:** 1,390.

**Estimated Total Annual Responses:** 9,444,069.

**Estimated Time per Response:** 3 minutes.

**Estimated Total Annual Burden Hours:** 472,203.

### **ACE Cargo Release**

**Estimated Number of Respondents:** 3,015.

**Estimated Number of Responses per Respondent:** 1,410.

**Estimated Total Annual Responses:** 4,251,150.

**Estimated Time per Response:** 10 minutes.

**Estimated Total Annual Burden Hours:** 705,691.

Dated: March 25, 2015.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, March 30, 2015 (80 FR 16691)]

## **AGENCY INFORMATION COLLECTION ACTIVITIES:**

### **Cargo Manifest/Declaration, Stow Plan, Container Status Messages and Importer Security Filing**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day notice and request for comments; revision and extension of an existing collection of information.



**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Cargo Manifest/ Declaration, Stow Plan, Container Status Messages and Importer Security Filing. CBP is proposing to add burden hours for four new collections of information, including Electronic Ocean Export Manifest, Electronic Air Export Manifest, Electronic Rail Export Manifest, and Vessel Stow Plan (Export). There are no changes to the existing forms or collections within this OMB approval. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before June 1, 2015 to be assured of consideration.

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

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for

OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Cargo Manifest/Declaration, Stow Plan, Container Status Messages and Importer Security Filing.

**OMB Number:** 1651-0001.

**Form Number:** Forms 1302, 1302A, 7509, 7533.

**Abstract:** This OMB approval includes the following existing information collections: CBP Form 1302 (or electronic equivalent); CBP Form 1302A (or electronic equivalent); CBP Form 7509 (or electronic equivalent); CBP Form 7533 (or electronic equivalent); Manifest Confidentiality; Vessel Stow Plan (Import); Container Status Messages; and Importer Security Filing. CBP is proposing to add new information collections for Electronic Ocean Export Manifest; Electronic Air Export Manifest; Electronic Rail Export Manifest; and Vessel Stow Plan (Export). Specific information regarding these collections of information is as follows:

*CBP Form 1302:* The master or commander of a vessel arriving in the United States from abroad with cargo on board must file CBP Form 1302, *Inward Cargo Declaration*, or submit the information on this form using a CBP-approved electronic equivalent. CBP Form 1302 is part of the manifest requirements for vessels entering the United States and was agreed upon by treaty at the United Nations Inter-government Maritime Consultative Organization (IMCO). This form and/or electronic equivalent, is provided for by 19 CFR 4.5, 4.7, 4.7a, 4.8, 4.33, 4.34, 4.38, 4.84, 4.85, 4.86, 4.91, 4.93 and 4.99 and is accessible at: [http://www.cbp.gov/sites/default/files/documents/CBP%20Form%201302\\_0.pdf](http://www.cbp.gov/sites/default/files/documents/CBP%20Form%201302_0.pdf).

*CBP Form 1302A:* The master or commander of a vessel departing from the United States must file CBP Form 1302A, *Cargo Declaration Outward With Commercial Forms*, or CBP-approved electronic equivalent, with copies of bills of lading or equivalent commercial documents relating to all cargo encompassed by the manifest. This form and/or electronic equivalent, is provided for by 19 CFR 4.62, 4.63, 4.75, 4.82, and 4.87-4.89 and is accessible at: [http://www.cbp.gov/sites/default/files/documents/CBP%20Form%201302\\_0.pdf](http://www.cbp.gov/sites/default/files/documents/CBP%20Form%201302_0.pdf).

*Electronic Ocean Export Manifest:* CBP will begin a pilot in 2015 to electronically collect ocean export manifest information. This information will be transmitted to CBP in advance via the Automated Export System (AES) within the Automated Commercial Environment (ACE). The data elements to be transmitted may include the following:

- Name of the vessel or carrier
- Name and address of the shipper
- Port Where the Report is Made
- Nationality of the Ship
- Name of the Master
- Port of Loading
- Port of Discharge
- B/L Number (Master and House)
- Marks and Numbers
- Container numbers
- Seal Numbers
- Number and Kinds of Packages
- Description of Goods
- Gross Weight (lb. or kg)
- Measurement (per HTSUS)
- In-bond number
- AES ITN number or Exemption statement
- Split shipment indicator
- Port of split shipment
- Hazmat Indicator
- Chemical Abstract Service ID Number
- Vehicle Identification Number or Product Identification Number
- Mode of transportation (containerized or non-containerized)

*CBP Form 7509:* The aircraft commander or agent must file Form 7509, *Air Cargo Manifest*, with CBP at the departure airport, or respondents may submit the information on this form using a CBP-approved electronic equivalent. CBP Form 7509 contains information about the cargo onboard the aircraft. This form, and/or electronic equivalent, is provided for by 19 CFR 122.35, 122.48, 122.48a, 122.52, 122.54, 122.73, 122.113, and 122.118, and is accessible at: [http://www.cbp.gov/sites/default/files/documents/CBP%20Form%207509\\_0.pdf](http://www.cbp.gov/sites/default/files/documents/CBP%20Form%207509_0.pdf).

*Electronic Air Export Manifest:* CBP will begin a pilot in 2015 to electronically collect air export manifest information. This information will be transmitted to CBP in advance via ACE's AES. The data elements to be transmitted may include the following:

- Exporting Carrier
- Marks of nationality and registration
- Flight Number
- Port of Lading
- Port of Unlading
- Scheduled date of departure
- Consolidator
- De-Consolidator
- Air Waybill type (Master, House, Simple, or Sub)
- Air Waybill Number
- Number of pieces and unit of measure
- Weight (lb. or kg.)
- Number of house air waybills
- Shipper name and address
- Consignee name and address
- Cargo description
- AES ITN number or AES Exemption statement
- Split air waybill indicator
- Hazmat indicator
- UN Number
- In-bond number
- Mode of transportation (containerized or non-containerized)

*CBP Form 7533:* The master or person in charge of a conveyance files CBP Form 7533, *INWARD CARGO MANIFEST FOR VESSEL UNDER FIVE TONS, FERRY, TRAIN, CAR, VEHICLE, ETC*, which is required for a vehicle or a vessel of less than 5 net tons arriving in the United States from Canada or Mexico, otherwise than by sea, with baggage or merchandise. Respondents may also

submit the information on this form using a CBP-approved electronic equivalent. CBP Form 7533, and/or electronic equivalent, is provided for by 19 CFR 123.4, 123.7, 123.61, 123.91, and 123.92, and is accessible at: [http://www.cbp.gov/sites/default/files/documents/CBP%20Form%207533\\_0.pdf](http://www.cbp.gov/sites/default/files/documents/CBP%20Form%207533_0.pdf).

*Electronic Rail Export Manifest:* CBP will begin a pilot in 2015 to electronically collect the rail export manifest information. This information will be transmitted to CBP in advance via ACE's AES. The data elements to be transmitted may include the following:

- Manifest number
- Mode of transportation (containerized or non-containerized)
- Port of Departure from the United States
- Date of Departure
- Train Number
- Rail car order/Car locator message
- Hazmat Indicator
- 6-character Hazmat code
- Marks and Numbers
- SCAC (Standard Carrier Alpha Code) identification code for exporting carrier
- Bill of Lading Number (Master and House)
- Shipper name and address
- Consignee name and address
- Notify Party name and address
- AES ITN or AES Exemption Statement
- Cargo Description
- Weight
- Quantity and Unit of Measure
- Split Shipment Indicator
- Portion of Split Shipment
- In-bond number
- Seal Number

- Mexican Pedimento Number
- Place where the rail carrier takes possession of the cargo shipment
- Port of Unlading
- Container Numbers (for containerized shipments) or the rail car numbers
- Data for empty rail cars (Empty indicator and rail car number)

*Manifest Confidentiality:* An importer or consignee (inward) or a shipper (outward) may request confidential treatment of its name and address contained in manifests by following the procedure set forth in 19 CFR 103.31.

*Vessel Stow Plan (Import):* For all vessels transporting goods to the United States, except for any vessel exclusively carrying bulk cargo, the incoming carrier is required to electronically submit a vessel stow plan no later than 48 hours after the vessel departs from the last foreign port that includes information about the vessel and cargo. For voyages less than 48 hours in duration, CBP must receive the vessel stow plan prior to arrival at the first port in the U.S. The vessel stow plan is provided for by 19 CFR 4.7c.

*Vessel Stow Plan (Export):* CBP will begin a pilot in 2015 to electronically collect a vessel stow plan for vessels transporting goods from the United States, except for any vessels exclusively carrying bulk cargo. The exporting carrier will electronically submit a vessel stow plan in advance. .

*Container Status Messages (CSMs):* For all containers destined to arrive within the limits of a U.S. port from a foreign port by vessel, the incoming carrier must submit messages regarding the status of events if the carrier creates or collects a container status message (CSM) in its equipment tracking system reporting an event. CSMs must be transmitted to CBP via a CBP-approved electronic data interchange system. These messages transmit information regarding events such as the status of a container (full or empty); booking a container destined to arrive in the United States; loading or unloading a container from a vessel; and a container arriving or departing the United States. CSMs are provided for by 19 CFR 4.7d.

*Importer Security Filing (ISF):* For most cargo arriving in the United States by vessel, the importer, or its authorized agent, must submit the data elements listed in 19 CFR 149.3 via a CBP-approved electronic interchange system within prescribed time frames. Transmission of these data elements provide CBP with advance information about the shipment.

**Current Actions:** CBP is proposing that this information collection be extended with a change to the burden hours resulting from proposed new information collections associated with the Electronic Ocean Export Manifest, Electronic Air Export Manifest, Electronic Rail Export Manifest, and Vessel Stow Plan (Export). There are no changes to the existing information collections under this OMB approval. The burden hours are listed in the chart below.

**Type of Review:** Revision and Extension.

**Affected Public:** Businesses.

Collection	Total burden hours	Number of respondents	Number of responses per respondent	Total responses	Time per response
Air Cargo Manifest (CBP Form 7509).....	366,600	260	5,640	1,466,400	15 minutes.
Inward Cargo Manifest for Truck, Rail, Vehicles, Vessels, etc. (CBP Form 7533).....	962,940	33,000	291.8	9,629,400	6 minutes.
Inward Cargo Declaration (CBP Form 1302).....	1,500,000	10,000	300	3,000,000	30 minutes.
Cargo Declaration Outward With Commercial Forms (CBP Form 1302A)..	10,000	500	400	200,000	3 minutes.
Importer Security Filing.....	17,739,000	240,000	33.75	8,100,000	2.19 hours.
Vessel Stow Plan (Import).....	31,803	163	109	17,767	1.79 hours.
Vessel Stow Plan (Export).....	31,803	163	109	17,767	1.79 hours.
Container Status Messages.....	23,996	60	4,285,000	257,100,000	0.0056 minutes.
Request for Manifest Confidentiality.	1,260	5,040	1	5,040	15 minutes.
Electronic Air Export Manifest.....	121,711	260	5,640	1,466,400	5 minutes.
Electronic Ocean Export Manifest.....	5,000	500	400	200,000	1.5 minutes.
Electronic Rail Export Manifest.....	2,490	50	300	15,000	10 minutes.
Total.....	20,796,603	289,996	.....	281,217,774	

Dated: March 23, 2015.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, April 6, 2015 (80 FR 18430)]

