

## **CSMS #18-000466**

**Title: IN-BOND ENFORCEMENT DISCRETION FOR 8/4/18 IMPLEMENTATION**

Date: 8/1/2018 10:57:23 AM

To: Automated Broker Interface, ACE Portal Accounts, Air Manifest, Export, Ocean Manifest, Partner Government Agencies, Rail Manifest, Trade Policy Updates, Truck Manifest

Due to issues identified with electronic communication for intermodal movement of cargo and other operational issues identified by trade partners, OFO will defer enforcement as identified above for a 6-month period until February 6, 2019.

- In-bond shipments that arrive into the United States on a mode of transport other than air and are subsequently transferred to air for exportation from the U.S. or movement to a U.S. port of entry may continue to be arrived and exported by CBP.
- In-bonds that originate in the United States from either bonded warehouses or Foreign Trade Zones and are subsequently exported by air may continue to be arrived and exported by CBP.
- The use of FIRMS codes at arrival will not be enforced for those reporting electronically.
- No automated edits in ACE will be implemented avoiding system reject messaging.
- CBP Officers at the port will assist traders with in-bond arrival and export reporting as needed.
- Timeframe enforcement for arrival and export reporting beyond the 2 business days specified in the regulations for those reporting electronically will be extended to 4 days.

Ports have been instructed to maintain an evaluation of the Trade's progress in compliance during this period, and a reevaluation will be made within the 6-month period. While ports are instructed to issue warnings rather than penalties during this time, ports will maintain the discretion to fully enforce for egregious or continued violations or a lack of demonstration of good faith efforts. Allowing for an extension until February 6, 2019, will also allow other government agencies an opportunity to further enhance and align their electronic systems with ACE.

Additionally until further notice, CBP will:

- Provide a stamp or perforation on a CBP Form 7512 verifying exportation upon request of the carrier. The carrier, in order for CBP to stamp or perforate an in-bond document, must provide proof of exportation (or physical verification).
- CBP will continue to defer enforcement of the submission of the 6 digit HTSUS number indefinitely.

Please direct any questions to [CSCWAREHOUSING@CBP.DHS.GOV](mailto:CSCWAREHOUSING@CBP.DHS.GOV)