



UNITED STATES COUNCIL FOR INTERNATIONAL BUSINESS

**USCIB Priority Recommendations for
Commissioner Alan Bersin
March 15, 2011**

KEY PRIORITIES:

Strengthen Customs-Trade Partnership Against Terrorism (C-TPAT): USCIB encourages CBP to focus core benefits of C-TPAT on the pre-trade and post-trade events of the supply chain and develop substantial commercial benefits for Tier 2 and Tier 3 C-TPAT participants; to achieve full mutual recognition of security programs with major trading partners; to establish a concrete definition of mutual recognition which allows for compliance with C-TPAT to result in compliance with other security programs; and, to ensure that benefits of mutual recognition are realized by business as well as customs authorities.

Promote Commercially Acceptable Air Cargo Security Program: USCIB encourages CBP to work with TSA to support the implementation of a security regime that simultaneously accounts for operational realities faced by importers and air carriers while protecting national security. In light of the events of October 28, 2010, USCIB applauds the joint effort by CBP and TSA to proactively work with the air cargo community to address potential security breaches. USCIB firmly believes that it is critical for CBP and TSA to jointly work with all actors within the supply chain, including importers, to enhance existing protocols to identify potential risks earlier in the air cargo supply chain with the least amount of disruption to global business. As CBP continues to gauge the effectiveness of new protocols and to review the potential impact on shippers, please consider USCIB as a valuable resource for practical input from the air cargo community and importers.

OTHER TOP PRIORITIES:

Efforts to Increase the Duty-Free Administrative Allowance: USCIB expresses vigorous support for CBP's continued effort to exercise its authority to increase the current values for de minimis and informal entry shipments. USCIB pledges to work with CBP to effectively navigate the regulatory and legislative atmosphere facing this initiative.

Enforcement of Intellectual Property Rights: USCIB believes in the importance of CBP's role in protecting intellectual property rights at our borders and ports by intercepting counterfeit goods, which threaten U.S. competitiveness, jobs, public health, national security, and safety. USCIB is concerned about CBP's 2008 interpretation of the Trade Secrets Act (18 U.S.C. § 1905), which has led to a precipitous decline in the seizure of counterfeit goods, particularly in areas affecting national security and consumer safety. USCIB stands ready to work with CBP to find a way through the current impasse in the hope of re-engaging business in a strong partnership to identify, and where warranted, to seize illegal counterfeit goods.

Interdiction of Counterfeit Medicines and API's: CBP has agreed to pilot the TruScan handheld device to spot counterfeit medicines and API's at parcel facilities. Effectiveness of seizures is limited by CBP considering each parcel as a separate instance. In practice, many parcels are shipped by the counterfeiter at the same time, in the same packaging and same return address. Because each parcel is considered separately by CBP, officers are discouraged from seizing all related parcels by the paperwork associated with each. USCIB recommends that the interdiction include all the parcels with the same characteristics under a single seizure. This would be a more effective use of CBP man power, reduce paperwork and yield higher results.

Inclusion of ATA Carnet in the Customs Modernization Process: USCIB thanks CBP for its appreciation of ATA Carnet training conducted by USCIB, for reaching out to USCIB to update the directive governing the acceptance of ATA Carnets, and for working with USCIB on accommodations for ATA Carnets in the ISF. USCIB requests that CBP considers the importance of ATA Carnets in international commerce throughout the customs modernization process, and encourages the U.S. to update its commitment to the international rules governing temporary imports by acceding to the WCO Istanbul Convention on Temporary Admission.

ACE Funding: USCIB supports full funding for ACE in order to ensure full implementation of the trade enabling program that incorporates the robust inter-agency portals for a single window application.