



# MARITIME EXCHANGE

for the Delaware River and Bay

*Leading the Way to Port Progress*

John T. Reynolds, Chairman  
Uwe Schulz, Vice Chairman  
Robert A. Herb, Treasurer  
Dennis Rochford, President  
Lisa B. Himber, Vice President  
A. Robert Degen, Esq., Secretary/Solicitor

February 1, 2019

Mr. Brandon Lord  
Office of Trade  
U.S. Customs and Border Protection  
1331 Pennsylvania Avenue NW  
Suite 950N  
Washington, DC 20229

Re: Department of Homeland Security; Docket Number: USCBP-2018-0045

Dear Mr. Lord:

Thank you for the opportunity to comment on CBP's initiative, the 21st Century Customs Framework.

For your information, the Maritime Exchange for the Delaware River and Bay is a non-profit trade association representing nearly 300 companies in Delaware, Southeastern Pennsylvania, and southern New Jersey. We operate a port authority manifest system certified in CBP's Automated Commercial Environment and process manifest data and status messages on behalf of approximately 300 carriers entering ports throughout the U.S.

Following are our comments:

### **Data Access and Sharing: How can CBP's overall data sharing with trade stakeholders be improved?**

Because port authorities and service providers are the first line of support for our customers, we need access to their clients' reports and information in the ACE portal. Due to our unique position, organizations such as ours reduce the support demands on the CBP Client Representatives as we field many of our customers' questions. Providing ACE portal access to port authorities and service centers for our respective clients will help us, and CBP, in our respective support missions.

Though CBP suggests we do not have a right to the data available via the portal, it is important to bear in mind that some of the reports and other information is based on the information submitted through our system to which we have already been granted access by the carriers. We suggest carriers could add authorizations to access their ACE information in the letters of intent they file upon initial setup.

### **21st Century Trade Processes: What specific import procedures or requirements can be improved or refined, and how?**

1. The ACE customer support procedures offer ample opportunity for improvement. First and foremost, CBP must find a way to provide 24/7 client support. As we all know, the international trade industry does not follow a M-F, 9-5 schedule. In addition, we suggest moving toward a more traditional help desk operation, wherein clients communicate via a nationwide system; such a system should allow for phone and email system, and it should provide a portal, such as Sharepoint, where clients can view the status of their inquiries. A

national system will eliminate problems which arise when a primary client representative is on vacation and help ensure more standardized responses.

2. CBP should migrate to a single data standard such as XML to communicate with the Automated Commercial Environment. CBP currently supports the ASC X12, UNEDIFACT, and its own proprietary CAMIR and CATAIR data sets. Although multiple protocols provide flexibility to the trade community, maintaining multiple data sets is inefficient and costly. The initial outlay to migrate to a single standard would be offset in the long run through reduced development, maintenance, and support costs.
3. CBP should continue its current efforts to eliminate all paper forms in lieu of electronic processes. Many paper forms have been eliminated and incorporated into the Document Imaging System (DIS).

However, we strongly recommend that when eliminating paper forms, CBP require the submission of data through the existing automated portals, not via scanned paper forms or via new portals created outside of the ACE environment (e.g., vessel entrance and clearance). DIS should be considered a stopgap measure, not the ultimate solution to paper form elimination. Converting the existing forms to a data format, rather than scanned forms, has the added benefit of reduced storage requirements, more robust search capabilities, and better opportunities for data sharing analysis and reporting.

4. In addition, we strongly encourage CBP to take specific steps to effect a culture change within its ACE program, IT, and Field Operations personnel. Specifically, all too often we hear CBP officials at all levels talk about automating forms rather than automating processes. This thinking is outdated and leads to programming that does not reflect the needs of all stakeholders (e.g., requiring a container number data element on a breakbulk manifest).
5. Further, we recommend CBP take steps as soon as possible to standardize cargo units of measure and weights within the multi-modal manifest. This will ensure stakeholders public and private are able to more effectively glean useful information about shipping volumes that can better inform planning and decision making.

**What new roles in the global supply chain are unaccounted for in CBP's current legal framework? How can new actors in the global supply chain work with CBP to improve trade security?**

We recommend that CBP develop a C-TPAT protocol for ACE port authorities and service centers.

**What emerging technologies are most important for CBP to monitor or adopt?**

We very much appreciate the fact that field personnel are now using mobile devices to post releases immediately upon completing inspections. This has dramatically improved cargo processing.

Clearly, CBP should adopt any technology which improves communication and speeds cargo release. Systems for communicating with local CBP personnel vary from port to port, which can be confusing for entities doing business in multiple locations. Additionally, in some areas CBP facilitates communication to the utmost extent possible, for example, by readily sharing individual cell phones; in

Mr. Brandon Lord  
Office of Trade  
U.S. Customs and Border Protection  
2/1/2019  
Page 3

other areas CBP procedures are restrictive, such as requiring communication only by email and discouraging follow up inquiries. See also comments above re communicating with client reps.

CBP should also seek to implement technologies that more effectively utilize resources. For example, can drones be used for examinations at the pier rather than draying cargo to a CES? Can RPM technology be used during offloading (under a compliance agreement with the terminal) to eliminate wait times at the outbound gates and free those CBP officers for other duties? These are just a few examples of how we can better utilize existing and emerging technologies.

### **Self-funded CBP Infrastructure**

The Maritime Exchange has never supported programs under which the individual port operators are paying for certain federal services, such as 559, though we certainly understand the need for them. We recommend that if CBP is going to look for extra-Congressional funding, it does so in a way that standardizes costs. That is, under 559, in ports where CBP resources are more limited than in other nearby ports, stakeholders pay for service that its competitors do not. This, obviously, causes an unfair competitive disadvantage.

Thank you again for the opportunity to express our views. Please feel free to contact us to further discuss our recommendations.

Sincerely,

A handwritten signature in black ink that reads "Dennis Rochford". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

Dennis Rochford  
President