



*Mark Your Calendars! The annual Trade Symposium will be held in Washington, D.C. at the J.W. Marriott from October 29- 31. The official announcement of this event can be found in the Federal Register, 73 FR 50341, published August 26, 2008. Please check the Federal Register or [cbp.gov](http://cbp.gov) for details on the event.*

### **Upcoming ACE Releases Delayed**

The fall 2008 deployment of upcoming Automated Commercial Environment (ACE) Rail and Sea Manifest (M1) capabilities will be delayed by a projected six to eight months due to problems discovered during testing the new software.

U.S. Customs and Border Protection (CBP) has been working diligently to execute an ambitious ACE development schedule. Most recent efforts have focused on the testing of M1, which will allow vessel and rail carriers to use ACE when submitting advance cargo information. The primary driver for the schedule delay is problems discovered during software testing. Another contributing factor has been the addition of new requirements to the project. Mindful of the critical role of these capabilities to both the government and the trade community, CBP is delaying their deployment to ensure they are thoroughly tested and functioning properly. As a result of the M1 schedule slip, an additional four to six month delay is projected for the early 2009 deployment of initial ACE entry summary capabilities.

CBP is in the process of determining the impact these delays will have on the entire ACE schedule. CBP senior management has ordered an independent review of ACE to ensure that everything possible is being done to continue the successful deployment of new capabilities. In the near future, a new ACE release schedule will be published. This schedule will show that the Cargo Release portion of ACE has been moved to a higher priority. The Cargo Release portion of ACE is critical to many of the participating government agencies CBP is working with as part of the International Trade Data System process.

ACE remains a top priority for the Department of Homeland Security and CBP. CBP is committed to delivering high quality capabilities to its employees and its partners in both government and the trade community.

Please refer any questions to the Cargo Systems Program Office at [cbpcspo@cbp.dhs.gov](mailto:cbpcspo@cbp.dhs.gov).

### **Change in Password Policy** (CSMS 08-000153)

U.S. Customs and Border Protection implemented new rules for the format of ACE Secure Data Portal passwords. As of August 10th, when a new user is created or an existing user updates their password, the password must adhere to the following rules:

- Contain at least eight characters
- Contain at least four letters
- Contain a combination of uppercase letters, lowercase letters and numbers
- Contain at least one of the following symbols: !"#\$%&\*()+,-/;<=>?@[]^\_`{|}~#



- Not contain any consecutively repeated characters

This information will also be available on the ACE interface when creating a new password by clicking on the “Password Policy” link. This new policy does not affect users with existing passwords; however when a new password is generated or an existing password is changed or reset the new rules will apply.



**CBP has just delivered enhanced reporting capabilities in ACE for Account Management and Transaction reports. (CSMS# 08-000208) Users will be able to further modify standard reports by selecting additional data elements. Trade Account Owners (TAOs) and Proxy TAOs will also be able to build a fully customized report from scratch. Telephone training will be offered to importers, brokers, and carriers and is scheduled to run September 17 – October 2. Registration information will be forthcoming.**

### ACE Reports: Authorized Data Extract Tips

- If you find that the Authorized Data Extracts that you scheduled are timing out, you might have better success running them on the weekend. A benefit of the system is that you can schedule the reports from home and then download them when you return to work.
- If you encounter the message, “an error occurred while trying to retrieve results and/or while creating the zip file,” when attempting to download the extract, please try again. Normally the extract will open on the second attempt but please try a third time if needed.



**REMINDER: When running the entry summary compliance report or the cargo exam report, we recommend the user always check the last tab, the number of exams or team reviews by month, to verify what data is available.**

### Java Upgrades

There have been a few inquiries regarding upgrading to Java 6 Update 7. If you have already upgraded to Java 6, the update 7 that is being offered probably will not cause any problems when you run the ACE Reporting Tool. If, however, you have not upgraded to Java 6 and are still on Java 1.5, we recommend you wait to upgrade to Java 6 because this may cause a problem with your ability to run ACE reports effectively. We are currently working with users who are on Java 6 and are having difficulty using the ACE Reporting Tool because of limitations caused by the update. Please watch for updates on this situation.

If you accidentally upgrade to Java 6, you will no longer be able to download an older version, such as 1.4 or 1.5 from SUN JAVA. Since SUN JAVA no longer supports these older versions, they don't offer these downloads. If you want to try downloading version 6 and maintain your older version as well, you could set a system restore date or save your older Java version to a folder prior to downloading version 6. This would allow you to go back to either the system restore date or to the folder to get the older version if version 6 does not work.



**Multiple Plates Displaying on Transponder**

Please be aware that if Carrier A sells a conveyance to Carrier B, but does not delete the conveyance record from their account, Carrier A's plate is still associated to the VIN. In the meantime, Carrier B is also able to add the conveyance to their account. Therefore, CBP Officers may see multiple plates associated to a VIN at Primary. Carrier B, at Primary, is not at fault in this scenario and is unaware that there is an 'old' plate still on file. Carrier A or B can remove the old conveyance plate from the record in ACE.



**REMINDER: Some trade users in Mexico reported having problems dialing the new toll-free phone number for the Technology Support Center (1-866-530-4172), even if the preceding 001 was used. As an alternative if dialing from Mexico, the phone number 001-883-530-4172 may be used to contact the CBP Technology Support Center. This number is not toll-free, so charges will apply. (CSMS #08-000166)**

**First Sale Declaration Requirements (73 FR 49939, published August 25, 2008)**

A Federal Register Notice was published on August 25, 2008 regarding the implementation of the First Sale Declaration Requirement established under section 15422(a) in the Food, Conservation and Energy Act of 2008, commonly referred to as the Farm Bill.

The First Sale Declaration Requirement refers to the requirement for importers to provide a declaration to CBP at the time of entry for all goods entered for consumption or withdrawn from warehouse whether the value was determined on the basis of price paid by the buyer in the first or earlier sale occurring prior to introduction of the merchandise into the United States. To meet this requirement the First Sale Declaration Requirement requires that an importer of merchandise must enter an "F" next to the declared value at the line level on CBP Form 7501, or the electronic filing equivalent, when the declared transaction value of the imported merchandise is determined on the basis of the price paid by the buyer in a sale occurring earlier than the last sale prior to the introduction of the merchandise into the United States.

Under the Farm Bill, the First Sale Declaration Requirement is effective for a one-year period beginning August 20, 2008. The Trade has advised CBP that, due to the complexity of the programming changes required, it will not be ready to comply with the First Sale Declaration Requirement on August 20, 2008.

Accordingly, in order to permit the trade sufficient time to comply with the requirements in the First Sale Declaration Requirement, and thereby ensure the integrity of the data collected on importations, CBP will delay the enforcement of the First Sale Declaration Requirement for 30 days. Thus, CBP will commence the enforcement of the data collection requirements contained in the First Sale Declaration Requirement on September 20, 2008. Entries subject to the First Sale Declaration Requirement made between August 20 and September 19 will not be rejected based on any First Sale Declaration requirements. However, entries subject to the First Sale Declaration



Requirement made between August 20 and September 19 will require amendment. Information describing how the amendments will be made will be forthcoming.

The Trade is strongly encouraged to implement the requirements of the First Sale Declaration Requirement as soon as feasible before September 19, 2008.

Questions regarding this policy should be directed to Ms. Marla Bianchetta, Entry Summary and Drawback Branch at (202) 863-6539 or email to [marla.bianchetta@dhs.gov](mailto:marla.bianchetta@dhs.gov).

**Entry Requirements for Certain Softwood Lumber Products (73 FR 49934, published August 25, 2008)**

A Federal Register Notice was published on August 25, 2008 setting forth amendments to title 19 of the Code of Federal Regulations (CFR) that prescribe special entry requirements applicable to certain softwood lumber and softwood lumber products exported from any country into the United States. These requirements are listed in section 3301 of Title III, Subtitle D of the Food, Conservation and Energy Act of 2008, commonly referred to as the Farm Bill. For further details on the requirements, please refer to the Federal Register Notice. The interim rule is effective on September 18, 2008. Comments must be received on or before October 24, 2008.

**Announcement of test for Automated Commercial Environment (ACE) Entry Summary, Accounts and Revenue (ESAR) A2.2 (73 FR 50337, published August 26, 2008)**

A Federal Register Notice was published on August 26, 2008 announcing CBP's plan to conduct a National Customs Automation Program (NCAP) test concerning ACE ESAR capabilities. The capabilities will include functionality specific to filing and processing formal consumption entries (type 01 entries) and informal entries (type 11 entries). Other capabilities will include the issuance of certain CBP forms through the ACE portal, additional ACE reporting capabilities and enhanced portal account management. For further details, please refer to the Federal Register Notice. Comments and interest in participation in the test are requested by October 27, 2008.