



ATTENTION ALL ACE ACCOUNTS: *Until further notice, please do NOT attempt to add an Importer of Record (IR) number or Standard Carrier Alpha Code (SCAC) to your ACE Portal account. If you need to add an IR number or a SCAC, contact your CBP Account Manager or open a trouble ticket to request an update to your account list. Please include a list of IR numbers and SCACs to be updated. For IR numbers, please specify where in your account list (tree) to add the IR number. If you attempt to add the IR number or SCAC to your own account, your ACE Portal account will be locked and a trouble ticket will have to be opened to unlock your account. When this issue is resolved, a message will post to the ACE Portal News.*

New Guidelines for Assessment of Claims for Liquidated Damages

U.S. Customs and Border Protection (CBP) published a Federal Register Notice (FRN) on October 17, 2008 (see 73 FR 61891) announcing guidelines for the assessment of claims for liquidated damages and the mitigation of those claims when participants of Periodic Monthly Statement fail to pay estimated duties in a timely manner. In addition, the FRN stipulates that CBP may exercise the authority to suspend the importer of record from participation in the Periodic Monthly Statement test and require the account to pay estimated duties and fees on an entry-by-entry basis. CBP may exercise the authority to require the importer of record to file entry summary documentation with estimated duties and fees attached before merchandise is released from any CBP port.

Lacey Act Announcement

The Animal and Plant Health Inspection Service (APHIS), USDA, published a Federal Register Notice on October 8, 2008 (73 FR 58925), informing the public of its plan to implement and enforce declaration requirements at the time of importation for certain plants and plant products. The declaration requirements of the Lacey Act become effective on December 15, 2008. However, the FRN also indicates that APHIS will not begin enforcement of the Lacey Act until CBP deploys the electronic system for these requirements. The electronic system will collect additional data elements required by the Lacey Act not currently collected by CBP. Upon completion of the CBP system, APHIS will publish a notice in the Federal Register announcing the specific dates in which enforcement of the declaration requirements begin. Prior to the availability of electronic filing, from December 15, 2008 to April 1, 2009 (or as soon thereafter as the electronic system is available), APHIS will make a paper declaration form available for voluntary submission. No agencies with Lacey Act enforcement authority will take action for failing to complete the paper declaration form before the CBP electronic system for data collection is available (April 1, 2009 or after). Comments to this Notice will be accepted until December 8, 2008.



ATTENTION ALL BROKER ACCOUNTS: *Auto-notifications are sent to the Trade Account Owner when a permit has either been created or modified. The e-mail comes from ACE Notify Service and states: "A local broker permit containing your e-mail address has been created."*



Updated instructions on how to run ACE reports have just been posted to CBP.gov and can be found at

http://www.cbp.gov/xp/cgov/trade/automated/modernization/ace_welcome/ace_reports/. The lengthy documents provide detailed, step by step instructions on how to run a standard report, how to modify a report by adding/deleting data elements, how to create a customized report from scratch, and how to schedule an Authorized Data Extract.

Mandatory AES Started September 30, 2008

The mandatory filing of electronic export information went into effect on September 30, 2008, for U.S. exporters and freight forwarders. Shippers' Export Declarations with shipments valued at \$2,500 or more must be filed via the Automated Export System (AES). Export documentation must be filed prior to loading or departure, depending on the mode of transportation.

Ocean and Rail Manifest Release (A2.1/M1): CBP will deploy enhancements to the ACE Portal to lay the basis for the future (Spring 2009) Ocean and Rail Manifest release (A2.1/M1). Closer to the deployment of A2/M1, CBP will provide more detailed information. The following functionality will be available to the trade community via the ACE Secure Data Portal:

- A new look to the ACE Log on screen. Colors change from green to blue and white.
- When selecting "Account Type" or "Action" from the drop down lists, users will be required to click the "Go" button to move from one view to another.
- The UN/LOC code will appear as a new reference when selecting "References" from the "Action" drop down.
- The UN/LOC code will be available in a new ACE report under the "References" folder.
- Ocean carriers will be able to create, view and maintain their carrier in-bond authorization file. The use of these in-bond authorization records to edit actual in-bond transactions is scheduled for spring of 2009.
- Ocean carriers will be able to display conveyance information related to their carrier ACE Portal account. In spring 2009, the ACE Portal will have the capability to create, maintain, upload, and download conveyance information.

Recently Asked Questions on ACE Reports

Question: Can I use two different wildcards for the same field when running a modified report? I want to access data for HTS chapters 83 and 85.

Answer: Yes, new modifying ACE reporting capabilities provide that capability.

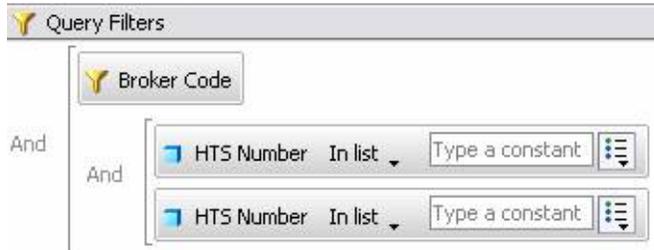
1. Begin as you normally do when running a modified report.
2. Select the object you want to use as the wildcard capability. The object must appear in the "Query Filters" pane.
3. Make certain the object is the HTS number with the blue box that appears in the "Query Filters" pane.
4. Click the down arrow beside "in list" to view the options for defining the filter and select "Matches Pattern."
5. Choose the "Constant" option and enter the HTS number.



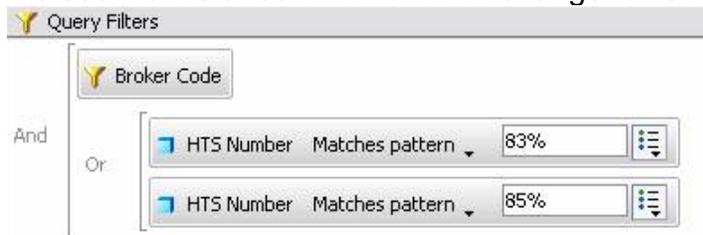
There is a method to dragging in the second HTS number. When you drag the second HTS number over you need to place the second HTS number below the first HTS number. It will be indented a little and you will see a gray bar.



This will cause the two HTS numbers to indent. See below.



When you first drag the second HTS number over you will see “And” and “And.” Click the second instance of “And” it will change to “Or.” See below.



6. Select “Run Query” to run the report.

Question: Why are the fees and taxes sometimes doubled when I run an entry summary aggregate or detailed report?

Answer: The estimated amount of fees and taxes can double, triple, or more depending on the number of unique HTS numbers reported on line one of the entry summary. If line one of the entry summary contains only one tariff number, then the fee and tax amounts will be correct. The estimated duty, ADD and CVD amounts are not affected by the number of HTS numbers on line one of the entry summary.



A free ACE informational seminar, sponsored by CBP, has been scheduled for November 12th in Newark, NJ. Topics to be discussed include the status of ACE, future releases including ocean, rail and air manifest as well as entry summary. An informative demonstration of the ACE Reports Tool will also be given. For more information, see “ACE on the Road” on CBP.gov.