

U.S. Customs' proposal for new air cargo manifest requirements

MODE: AIR - Destined to the United States

GOAL: All carriers, deconsolidators, freight forwarders and some express consignment couriers will be required to utilize the Air Automated Manifest System (AAMS) to provide advanced, electronic cargo declaration information to Customs in a paperless environment.

Customs needs the information as far in advance as necessary to analyze the data and respond in sufficient time to prevent the lading of suspect shipments. The amount of time necessary will depend on the availability of automated targeting systems, the availability of Customs personnel to analyze the results and the volume of information to be analyzed. Current Customs regulations in the vessel environment require that the cargo declaration be submitted 24 hours prior to lading. Because of the time-sensitive nature of the air freight business, Customs proposes that the data be supplied 8 hours prior to lading for courier shipments and 12 hours prior to lading for other shipments.

DETAILS:

The importing carrier will always have the complete air waybill information for simple and master air waybills. The carrier will also have the complete information for house air waybills when it delivers freight at the house air waybill level from its facility. Deconsolidators, freight forwarders, onward carriers, code share carriers and express consignment operators would have the house air waybill information for freight transferred to their facilities. Each of these entities could secure a Customs bond and participate in the AAMS to provide the information to Customs. If any one of these parties does not choose to satisfy these requirements, they would be required to furnish all of the information to the importing carrier, which would send the information to Customs through the AAMS. For those express couriers that already have Customs approved electronic manifest systems, those systems may continue to be utilized. All other express couriers will be required to use the AAMS.

The AAMS participants will be required to transmit all of the data as required in the Customs Automated Manifest Interface Requirement Air document. In addition, programming changes will be implemented to require additional data elements; examples of which may be: dangerous goods indicator, airport of departure, and scheduled date and time of departure. All air carriers will be required to participate in the AAMS at all U.S. ports at which they have direct arrivals. Carriers will utilize the AAMS to request electronically all permits to transfer and in bond movement authorizations.

Customs will notify the parties via the AAMS with messages stating that (1) certain shipments must be held for security purposes or (2) the data provided is insufficient to make a determination and that the

party must provide better data for Customs to analyze.

TRANSITION STRATEGY:

Some trade participants have never participated in the AAMS and will need to purchase or develop the hardware and software necessary to participate. All parties will need to enact measures to comply with data quality requirements and supply the data in the specified time frame. Carriers will need to develop procedures to ensure that selected cargo is not loaded onto their aircraft.

A phased-in transition period will occur. Current participants in the AAMS will be required to comply with the data quality and cut-off time requirements within three months of the publication of the final rule. Non-AAMS participants will be required to begin transmitting electronic manifest information within two months of the publication of the final rule and meet the data quality standards within the three-month time frame.

IMPORTANT INFORMATION:

Comments should be sent to: traderelations@customs.treas.gov by January 24th. That website also contains further information on cargo manifest screening requirements.

- U.S. Customs is mandated by law to provide additional screening of cargo before it departs for the United States.
- Its proposal is a first draft of what will become a regulation by October 1, 2003.
- Customs is soliciting comments, especially about how much time is required for agents to provide Customs with air cargo manifest electronically and to remove cargo when it is determined to be "NO Board."
- Issues such as bonding and legal liability may also be of concern.

Posted by CIFFA January 22, 2003