



U.S. Customs and  
Border Protection

January 4, 2008

Number 08-007

## **PORT OF COLUMBUS PIPELINE**

**TO:** Importers, Customs Brokers, Freight Forwarders, Foreign Trade Zone Operators, Exporters, Carriers, and Other Interested Parties

**SUBJECT:** Notice of Proposed Rulemaking – Importer Security Filing and Additional Carrier Requirements

Notice of proposed rulemaking (NPRM) docket number USCBP-2007-0077 was published in the Federal Register on January 2, 2008. This NPRM proposes to require both importers and carriers to submit additional information pertaining to cargo before the cargo is brought into the United States by vessel. Customs and Border Protection (CBP) must receive this information by way of a CBP-approved electronic data interchange system. The information required is reasonably necessary to further improve the ability of CBP to identify high-risk shipments so as to prevent smuggling and ensure cargo safety and security. The proposed regulations are specifically intended to fulfill the requirements of section 203 of the Security and Accountability for Every (SAFE) Port Act of 2006 and section 343(a) of the Trade Act of 2002, as amended by the Maritime Transportation Security Act of 2002.

CBP has consulted with a broad range of parties likely to be affected by the requirements and obtained and evaluated their comments as a prelude to the development and promulgation of the proposed regulations. CBP presented these groups with a document entitled “CBP Proposal for Advance Trade Data Elements” (the “10+2 Strawman”). The Strawman was known as 10+2 because ten of the elements describing the cargo are to come from importers, and two of the elements including information regarding the containers and conveyances in which the cargo is loaded are to come from carriers.

Numerous comments were received in response to the 10+2 Strawman. At CBP’s request, the Departmental Advisory Committee on Commercial Operations of Customs and Border Protection and Related Homeland Security functions (COAC) Advance Data Subcommittee also prepared and presented recommendations to CBP. CBP responds to comments that were received in response to the 10+2 Strawman and the recommendation of the COAD Advance Data Subcommittee in the NPRM.

The NPRM can be accessed through a link on the CBP website located at [http://www.cbp.gov/xp/cgov/toolbox/legal/recent\\_federal\\_register\\_notices/fed\\_regs\\_offsite\\_links\\_2008.xml](http://www.cbp.gov/xp/cgov/toolbox/legal/recent_federal_register_notices/fed_regs_offsite_links_2008.xml).

Interested persons are invited to participate in this rulemaking by submitting written data, views or arguments on all aspects of the NPRM. The Department of Homeland Security (DHS) also invites comments that relate to the economic, environmental, or federalism effects that might result from this proposal. Comments that will provide the most assistance to the Department in developing these procedures will reference a specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change.

Written comments must be received on or before March 3, 2008. Comments, identified by docket number USCBP-2007-0077, may be submitted by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments via docket number.
- Mail: Border Security Regulations Branch, Office of International Trade, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW. (Mint Annex), Washington, DC 20229.

All submissions received must include the agency name and document number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Should you have any questions concerning this pipeline, please contact Craig L. Vette at 614-497-1865, extension 115.

/s/  
Craig L. Vette  
Port Director