

U.S. CUSTOMS AND BORDER PROTECTION
Department of Homeland Security
Port Huron Field Operations
Pipeline & News



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Date: August 17, 2004

TO : Brokers, Importers, ABI Filers and Other Interested Parties

FROM : Port Director,
Port Huron, Michigan

SUBJECT : Implementation of New Regulations Requiring the Advanced Electronic
Presentation of Information for Cargo Brought into the United States
Aboard Commercial Aircraft.

NEW CBP REQUIREMENTS FOR ELECTRONIC CARGO INFORMATION

The purpose of this document is to provide affected members of the trade community with information regarding the implementation of new regulations requiring the advanced electronic presentation of information for cargo brought into the United States aboard commercial aircraft.

Regulatory Changes

On December 5, 2003, Customs and Border Protection (CBP) published in the Federal Register a final rule to implement Section 343(a) of the Trade Act of 2002 as amended, which required CBP to promulgate regulations providing for the mandatory collection of advance electronic cargo information. A new section was added to the CBP Regulations relating to air commerce to provide for the provisions of the final rule.

The full text of the final rule may be found at:

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2003_register&docid=03-29798-filed.pdf

Parties Required to Submit Electronic Cargo Information

The new regulations apply to all aircraft required to enter under part 122.41 of the CBP Regulations. This entry requirement applies to all aircraft arriving in the United States

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from a foreign location except: private aircraft, public aircraft and aircraft chartered by and transporting cargo that is the property of the U.S. Department of Defense.

The regulations require that the incoming air carrier must always present certain information to CBP for both consolidated and non-consolidated shipments. The regulations do permit certain other specified parties to directly transmit information to CBP for consolidated shipments. However, if such parties do not elect to voluntarily submit such data, the information must be received from the incoming air carrier.

In addition to the incoming air carrier for which participation is mandatory, the following parties may voluntarily elect to transmit certain Air AMS information:

- 1) An Automated Broker Interface (ABI) filer
- 2) A Container Freight Station (CFS)
- 3) An Express Consignment Carrier Facility (ECCF)
- 4) An air carrier that arranged to have the incoming air carrier transport the cargo the United States.

Electronic Systems for Transmitting Data

The CBP-approved electronic data interchange system through which the affected parties must transmit and receive information pursuant to these regulations, is known as the Air Automated Manifest System (Air AMS). Although certain trade members currently participate in Air AMS on a voluntary basis, the final rule requires mandatory participation in Air AMS by the compliance dates stated below. The Customs Automated Manifest Interface Requirements – Air (CAMIR-Air) is the source document for electronic data interchange between CBP and Air AMS participants. The CAMIR-Air is available on the CBP website at:

http://www.cbp.gov/xp/cgov/import/operations_support/automated_systems/ams/camir_air/

A potential Air AMS participant may either develop its own software based on the specifications of the CAMIR-Air, utilize an approved Air AMS service provider to submit data on its behalf, or purchase a commercially available software and communications package. CBP maintains a listing of such service centers and software vendors on its website at:

http://www.cbp.gov/ImageCache/cgov/content/import/operations_5fsupport/ams/vendor_5fair_2edoc/v1/vendor_5fair.doc

Once the Air AMS participant has determined how it intends to communicate with CBP, it will return the Air AMS respondent checklist to the CBP client representative branch at the address noted on the form. The Air AMS respondent checklist is the final page of the service center and software vendor list.

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Time Frames for Submitting Data

The regulations established two time frames for CBP to receive the information. In the case of aircraft that depart for the United States from any port or place in North America, including locations in Mexico, Central America, South America (from north of the equator only), the Caribbean and Bermuda, CBP must receive the required information no later than the time of departure of the aircraft. In the case of aircraft that depart from any other foreign area, CBP must receive the required cargo information no later than 4 hours prior to the arrival of the aircraft in the United States.

Required Compliance Dates

Beginning on the dates set forth below, CBP will require advance electronic cargo information for any cargo that arrives in the United States by air at a port of entry within one of the locations specified below.

Date	Ports in the Following Locations
August 13, 2004	Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Vermont, Virginia, West Virginia
October 13, 2004	Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin
December 13, 2004	Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, North Dakota, Oregon, Utah, Washington

For Additional Information

Additional information regarding these requirements is available on the CBP website at www.cbp.gov. CBP is also maintaining a list of Frequently Asked Questions at: http://www.cbp.gov/xp/cgov/import/communications_to_industry/advance_info/

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 Robert O. Prause
 Port Director