

National RAC Report November 2015

To state the obvious ...things are crazy on the PGA front as the deadline to transition to ACE approaches. I can assure you that the agencies are engaged with CBP and the trade with regards to programming and testing however the lack of participation in the pilot programs should concern us. Things are being discovered/updated and fixed daily. I am often surprised in my daily activities that at this point in the game I am finding errors and bringing them to the attention of the agencies. The amount of data that needs to be tested is immense. Please begin to think about how you can support / participate in these programs.

A couple important things the committee is working on that will result in some clear guidance to the trade.

First the committee will retreat in Denver, Co the first weekend in December to drill down issues and concerns still pending with the PGA's. There will be a dial in connection for those who are unable to attend in person.

Important to helping the committee be as successful as possible is to obtain feedback from those participating in the pilots. Please if you have any issues or problems the committee needs to know. We need as much live / current information as possible to determine how to assist our members with the transition.

Also should you have any other issues or concerns pertaining to the PGA's please let me know. The committee will be addressing other issues as well.

Second a group has been formed consisting of some members of the RAC committee along with volunteers from member firms who are working on completing guidance documents specific to each agency program. The goal was to offer guidance in a plain English format. A couple of these documents have been completed and are being reviewed and once final will be available to members.

The daily PGA update call and the Thursday call will be discontinued 11/16 and will be replaced with one daily call that will discuss everything. A list of outstanding issues is being published and will be available on line so everyone can stay updated.

FCC Update

See below from EPA for clarification on the recent FR notice 80FR68471

*Based on our understanding – and, the waiver Order was reviewed by CBP – filers will continue to be able to submit Form 740 data through ACS till July 2016. Since there is no appropriate PGA message set for ACE, they will not be able to submit that data through ACE.*

*We expect to have final rules for data collection in place prior to December 2016, ideally before July 2016. If we do not have them finalized prior to July 2016, the terms of waiver become effective and we will suspend data collection. This will mean no ACS or paper filings, and, of course no ACE filings since there will be no message set. Depending on our final rules, if we eliminate all data collection then there will be no action required. If we do decide to continue some data collection, we will have to work with CBP to develop a PGA message set as well as establish an implementation time frame. This will be part of our consideration in the Order and will take into account FCC, CBP and industry transition time before the new data collection becomes effective. Of course, I cannot comment on what action the Commission may take.*

*As noted above, our Order will address either discontinuance of the data collection or a transition period to a new data collection requirement which will include adequate transition time for implementation by all parties. In the very unlikely event that we fail to come out with an Order by December 2016, the Commission will have to review the decision to extend the Waiver Order. However, I cannot comment, at this time on what action the Commission may take.*