



# Appendices





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## APPENDIX A.1: LIST OF AGENCIES – ALPHABETICAL BY DEPARTMENT

ITDS Agencies		
	Department or Independent Agency	Agency/Acronym
1	Agriculture	AMS, Agricultural Marketing Service
2	Agriculture	APHIS, Animal and Plant Health Inspection Service
3	Agriculture	FAS, Foreign Agricultural Service
4	Agriculture	FSIS, Food Safety and Inspection Service
5	Agriculture	GIPSA, Grain Inspection, Packers and Stockyards Administration
6	Commerce	BIS, Bureau of Industry and Security
7	Commerce	Census, Bureau of the Census
8	Commerce	FTZB, Foreign Trade Zones Board
9	Commerce	IA, Import Administration
10	Commerce	NMFS, National Marine Fisheries Service
11	Defense	USACE, U.S. Army Corps of Engineers
12	Defense	DCMA, Defense Contracts Management Agency
13	Energy	EIA, Energy Information Administration
14	Energy	OFE, Office of Fossil Energy
15	Interior	FWS, U.S. Fish and Wildlife Service
16	Justice	ATF, Bureau of Alcohol, Tobacco, Firearms, and Explosives
17	Justice	DEA, Drug Enforcement Administration
18	Labor	BLS, Bureau of Labor Statistics
19	Health and Human Services	CDC, Centers for Disease Control and Prevention
20	Health and Human Services	FDA, Food and Drug Administration
21	Homeland Security	CBP, Customs and Border Protection
22	Homeland Security	TSA, Transportation Security Administration
23	Homeland Security	USCG, U.S. Coast Guard
24	State	A/LM, State Despatch Office, Office of Logistics and Management
25	State	OES, Bureau of Oceans and International Environmental and Scientific Affairs
26	State	OFM, Office of Foreign Missions
27	State	DDTC, Directorate of Defense Trade Controls
28	Transportation	BTS, Bureau of Transportation Statistics
29	Transportation	FAA, Federal Aviation Administration
30	Transportation	FHWA, Federal Highway Administration
31	Transportation	MARAD, Maritime Administration
32	Transportation	NHTSA, National Highway Traffic Safety Administration
33	Transportation	PHMSA, Pipeline and Hazardous Materials Safety Administration
34	Transportation	FMCSA, Federal Motor Carrier Safety Administration
38	Treasury	FinCEN, Financial Crimes Enforcement Network
35	Treasury	IRS, Internal Revenue Service
36	Treasury	OFAC, Office of Foreign Assets Control
37	Treasury	TTB, Alcohol and Tobacco Tax and Trade Bureau
30	Independent Agency	CPSC, Consumer Product Safety Commission
40	Independent Agency	EPA, Environmental Protection Agency
41	Independent Agency	FCC, Federal Communications Commission
42	Independent Agency	FMC, Federal Maritime Commission
43	Independent Agency	ITC, U.S. International Trade Commission
44	Independent Agency	NRC, U.S. Nuclear Regulatory Commission
45	Independent Agency	USAID, U.S. Agency for International Development
46	Independent Agency	USTR, U.S. Trade Representative

**APPENDIX A.2: LIST OF AGENCIES – ALPHABETICAL BY AGENCY NAME**

ITDS Agencies		
	Agency/Acronym	Department or Independent Agency
1	AMS, Agricultural Marketing Service	Agriculture
2	APHIS, Animal and Plant Health Inspection Service	Agriculture
3	A/LM, State Despatch Office, Office of Logistics and Management	State
4	ATF, Bureau of Alcohol, Tobacco, Firearms, and Explosives	Justice
5	BIS, Bureau of Industry and Security	Commerce
6	BLS, Bureau of Labor Statistics	Labor
7	BTS, Bureau of Transportation Statistics	Transportation
8	CBP, Customs and Border Protection	Homeland Security
9	CDC, Centers for Disease Control and Prevention	Health and Human Services
10	Census, Bureau of the Census	Commerce
11	CPSC, Consumer Product Safety Commission	Independent Agency
12	DEA, Drug Enforcement Administration	Justice
13	DCMA, Defense Contracts Management Agency	Defense
14	EIA, Energy Information Administration	Energy
15	EPA, Environmental Protection Agency	Independent Agency
16	FAA, Federal Aviation Administration	Transportation
17	FAS, Foreign Agricultural Service	Agriculture
18	FCC, Federal Communications Commission	Independent Agency
19	FDA, Food and Drug Administration	Health and Human Services
20	FHWA, Federal Highway Administration	Transportation
21	FinCEN, Financial Crimes Enforcement Network	Treasury
22	FMC, Federal Maritime Commission	Independent Agency
23	FMCSA, Federal Motor Carrier Safety Administration	Transportation
24	FSIS, Food Safety and Inspection Service	Agriculture
25	FTZB, Foreign Trade Zones Board	Commerce
26	FWS, U.S. Fish and Wildlife Service	Interior
27	GIPSA, Grain Inspection, Packers, and Stockyards Administration	Agriculture
28	IRS, Internal Revenue Service	Treasury
29	IA, Import Administration	Commerce
30	ITC, International Trade Commission	Independent Agency
31	MARAD, Maritime Administration	Transportation
32	NHTSA, National Highway Traffic Safety Administration	Transportation
33	NMFS, National Marine Fisheries Service	Commerce
34	NRC, U.S. Nuclear Regulatory Commission	Independent Agency
35	OES, Bureau of Oceans and International Environmental and Scientific Affairs	State
36	OFAC, Office of Foreign Assets Control	Treasury
37	OFE, Office of Fossil Energy	Energy
38	OFM, Office of Foreign Missions	State
39	PHMSA, Pipeline and Hazardous Materials Safety Administration	Transportation
40	DDTC, Directorate of Defense Trade Controls	State
41	TSA, Transportation Security Administration	Homeland Security
42	TTB, Alcohol and Tobacco Tax and Trade Bureau	Treasury
43	USACE, U.S. Army Corps of Engineers	Defense
44	USAID, U.S. Agency for International Development	Independent Agency
45	USCG, U.S. Coast Guard	Homeland Security
46	USTR, U.S. Trade Representative	Independent Agency

## APPENDIX B: AGENCY BOARD MEMBERS AND CONTACTS

AGENCY	ACCRNYM	Board Member	Lead Contact	Sr. Official
Department of Homeland Security	DHS		Dr. Jeff Runge	
Transportation Security Administration	TSA		Robert Moore	
U.S. Customs and Border Protection	CBP	Bill Inch		Lou Samenink
United States Coast Guard	USCG	Susan Henry		Dana Goward
Department of Commerce	DOC			
Bureau of the Census (Census)	CENSUS	Diane Oberg	Steve Bulman	Harvey Mark
Foreign Trade Zones Board	FTZB	Pierre Dwy	Elizabeth Whitteman	Stephen Clays
National Marine Fisheries Service	NMFS	Chris Rogers	John Roggi	John Oliver
Import Administration	IA	Tom Fudner	Davina Hasnani	Stephen Clays
Bureau of Industry and Security	BIS	Mary Garner	Garry Horner	Eddie Donnell
Department of Defense	DOD			
U.S. Army Corps of Engineers	USACE	Doug McDonald		
Defense Contract Management Agency	DCMA	Genevieve Frost		Michael R. Williams
Department of Energy	DOE			Robert Corbin
Office of Fossil Energy	OFE	Bob Corbin	Yvonne Caudillo	Guido Dehorafis
Office of Oil and Gas	OFG	Mark Mayo		John Cook
Department of the Interior	DOI			
U.S. Fish and Wildlife Service	FWS	Benito Perez	Sheila Ensweller	Benito Perez
Department of Justice	DOJ	Frank Moreno	Michael Allen	
Bureau of Alcohol, Tobacco, Firearms, and Explosives	ATF	Richard Holgate	LuAnn Alspach	Richard Holgate
Drug Enforcement Administration	DEA	Mark Via	Mark Via	Joe Rannazzisi
Department of Labor	DOL	Al Stewart		
Bureau of Labor Statistics	BLS	Steven Paben	Jeffrey Blaha	William Alterman
Department of State	STATE		Robert Browning	
Office of Foreign Missions	OFM	Ciff Seagraves		
State Dispatch Office, Office of Logistics and Management	AALM	Gerry Marandino		
Directorate of Defense Trade Controls	PMD/DTC	Alexander Frantz		
Bureau of Ocean and Scientific Affairs	OES	James Hogan	Alexandra Frantz	
Department of Transportation	DOT		Clayton Stanger	
Federal Aviation Administration	FAA	Deborah Johnson	Richard Jordan	Donna Seymour
National Highway Traffic Safety Administration	NHTSA	Coleman Sachs		Donna Seymour
Federal Motor Carrier Safety Administration	FMCSA	Deborah Johnson	Marcelo Perez	
Maritime Administration	MARAD	Deborah Johnson	Lennis Fludd	
Bureau of Transportation Statistics	BTS	Deborah Johnson		
Pipeline and Hazardous Materials Safety Administration	PHMSA	Deborah Johnson	Ronald DiGregorio	
Federal Highway Administration	FHWA	Deborah Johnson	Roif Schmitt	
Department of Health and Human Services	HHS		Michael Carleton	Mike Carlton
Food and Drug Administration	FDA	Max Castillo	Max Castillo	Lori Davis; Elaine Johanson
Centers for Disease Control and Prevention	CDC	James Salgman; Robert Henket; Indira	Yoon Miller; Gale Gelland; Sheryl Shapiro	Robin Weyant
Department of Agricultural	USDA	Bruce Summers		
Agricultural Marketing Service	AMS	Bruce Summers	Michiko Shaw	
Food Safety and Inspection Service	FSIS	Mary Stanley	Mary Stanley	William Smith
Animal and Plant Health Inspection Service	APHIS	John Payne	Cornelia Nuebel	John Payne
Foreign Agricultural Service	FAS	Ron Lord		
Grain Inspection, Stockyards and Packers Administration	GIPSA		Marianne Pius	Randall Jones
Department of Treasury	TREAS		Tim Stud	
Internal Revenue Service	IRS	Ed Brzezinski	John Calabrese	Ricky Siff
Alcohol and Tobacco Tax and Trade Bureau	TTB	Jerry Bowerman	Debbie Pereira	Robert Hughes
Office of Foreign Assets Control	OFAC	Dale Thompson	Dale Thompson	Liz Farrow
Financial Crimes Enforcement Network	FINCEN	Erick Malette		
Federal Communications Commission	FCC	Gabriel Colazo		
U.S. International Trade Commission	ITC	Robert Rogowski	Steve Hudgens/Mira Alexander	Robert Rogowski
Federal Maritime Commission	FMC	Sandra Kusumoto; Mary Hoang	Jim Carey	Peter King
Environmental Protection Agency	EPA	Anely Buttin	Andy Babin; Jonathan Jacobson; Jeff Wells;	
Consumer Product Safety Commission	CPSC	Jim Johnstone	Chuck Freeman; Roy Chaudet	
U.S. Nuclear Regulatory Commission	NRC	Janice Owens	Steve Baker	
Office of U.S. Trade Representative	USTR	David Walters		
U.S. Agency for International Development	USAID	Paul Vichanzzo	David Answall	

**APPENDIX C: ACE PORTAL USERS**

<b>Employees Using ACE Portal as of September 22, 2009</b>	
<b>AGENCY</b>	<b>Total</b>
AMS	38
APHIS	119
ATF	19
BIS	1
BLS	3
BTS	3
CENSUS	20
CPSC	30
EPA	7
FAS	7
FCC	2
FDA	1
FMC	9
FSIS	46
FTZB	2
FWS	114
IA	11
IRS	2
ITC	5
NHTSA	1
NMFS	71
OFAC	7
OFM	9
TTB	21
USCG	2
<b>Grand Total</b>	<b>550</b>

26 Total Number of PGAs on Portal

588 Total Number of PGA Users on Portal

H.R. 4954

## An Act

To improve maritime and cargo security through enhanced layered defenses, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Security and Accountability For Every Port Act of 2006” or the “SAFE Port Act”.

### SEC. 405. INTERNATIONAL TRADE DATA SYSTEM.

Section 411 of the Tariff Act of 1930 (19 U.S.C. 1411) is amended by adding at the end the following:

“(d) INTERNATIONAL TRADE DATA SYSTEM.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Secretary of the Treasury (in this subsection, referred to as the ‘Secretary’) shall oversee the establishment of an electronic trade data interchange system to be known as the ‘International Trade Data System’ (ITDS). The ITDS shall be implemented not later than the date that the Automated Commercial Environment (commonly referred to as ‘ACE’) is fully implemented.

“(B) PURPOSE.—The purpose of the ITDS is to eliminate redundant information requirements, to efficiently regulate the flow of commerce, and to effectively enforce laws and regulations relating to international trade, by establishing a single portal system, operated by the United States Customs and Border Protection, for the collection and distribution of standard electronic import and export data required by all participating Federal agencies.

“(C) PARTICIPATION.—

“(i) IN GENERAL.—All Federal agencies that require documentation for clearing or licensing the importation and exportation of cargo shall participate in the ITDS.

“(ii) WAIVER.—The Director of the Office of Management and Budget may waive, in whole or in part, the requirement for participation for any Federal agency based on the vital national interest of the United States.

“(D) CONSULTATION.—The Secretary shall consult with and assist the United States Customs and Border Protection and other agencies in the transition from paper to electronic format for the submission, issuance, and storage of documents relating to data required to enter cargo into the United States. In so doing, the Secretary shall also consult with private sector stakeholders, including the Commercial Operations Advisory Committee, in developing uniform data submission requirements, procedures, and schedules, for the ITDS.

“(E) COORDINATION.—The Secretary shall be responsible for coordinating the operation of the ITDS among the participating agencies and the office within the United

States Customs and Border Protection that is responsible for maintaining the ITDS.

“(2) DATA ELEMENTS.—

“(A) IN GENERAL.—The Interagency Steering Committee (established under paragraph (3)) shall, in consultation with the agencies participating in the ITDS, define the standard set of data elements to be collected, stored, and shared in the ITDS, consistent with laws applicable to the collection and protection of import and export information. The Interagency Steering Committee shall periodically review the data elements in order to update the standard set of data elements, as necessary.

“(B) COMMITMENTS AND OBLIGATIONS.—The Interagency Steering Committee shall ensure that the ITDS data requirements are compatible with the commitments and obligations of the United States as a member of the World Customs Organization (WCO) and the World Trade Organization (WTO) for the entry and movement of cargo.

“(3) INTERAGENCY STEERING COMMITTEE.—There is established an Interagency Steering Committee (in this section, referred to as the ‘Committee’). The members of the Committee shall include the Secretary (who shall serve as the chairperson of the Committee), the Director of the Office of Management and Budget, and the head of each agency participating in the ITDS. The Committee shall assist the Secretary in overseeing the implementation of, and participation in, the ITDS.

“(4) REPORT.—The President shall submit a report before the end of each fiscal year to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives. Each report shall include information on—

“(A) the status of the ITDS implementation;

“(B) the extent of participation in the ITDS by Federal agencies;

“(C) the remaining barriers to any agency’s participation;

“(D) the consistency of the ITDS with applicable standards established by the World Customs Organization and the World Trade Organization;

“(E) recommendations for technological and other improvements to the ITDS; and

“(F) the status of the development, implementation, and management of the Automated Commercial Environment within the United States Customs and Border Protection.

“(5) SENSE OF CONGRESS.—It is the sense of Congress that agency participation in the ITDS is an important priority of the Federal Government and that the Secretary shall coordinate the operation of the ITDS closely among the participating agencies and the office within the United States Customs and Border Protection that is responsible for maintaining the ITDS.

“(6) CONSTRUCTION.—Nothing in this section shall be construed as amending or modifying subsection (g) of section 301 of title 13, United States Code.

“(7) DEFINITION.—The term ‘Commercial Operations Advisory Committee’ means the Advisory Committee established pursuant to section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) or any successor committee.”.

## APPENDIX E: MEMORANDUM FROM OMB

September 28, 2007

MEMORANDUM FOR CHIEF INFORMATION OFFICERS AND SENIOR EXECUTIVES  
DESIGNATED TO SUPPORT AGENCY USE OF THE INTERNATIONAL TRADE DATA  
SYSTEM

FROM: Karen S. Evans  
Administrator, E-Government and Information Technology

SUBJECT: Agency Plans for Using the International Trade Data System

The Office of Management and Budget (OMB) recently issued policy memorandum M-07-23 "Requiring Agency Use of the International Trade Data System" which stated, "your agency is expected to fully utilize the International Trade Data System (ITDS) by 2009." Additionally, the memorandum requested your agency to:

- Designate a senior executive to participate in an interagency team to support agency utilization of ITDS; and
- Complete a plan, by November 12, 2007, outlining the steps your agency will take to complete each stage of its interface to ITDS.

This memorandum provides instructions for completing your agency's plan, as well as additional instructions to the U.S. Customs and Border Protection (CBP). It is important the Senior Executive coordinate development of the plan with the Executive Agents from the Department of Homeland Security and the Department of the Treasury, and approve it to ensure integration with your entire agency and ITDS. Plans should address the areas below, not exceed ten pages, and be published to your agency's website. Final plans should be sent to Timothy Skud at [timothy.skud@do.treasury.gov](mailto:timothy.skud@do.treasury.gov) and Louis Samenfink at [louis.samenfink@dhs.gov](mailto:louis.samenfink@dhs.gov). So that we can ensure plans are sufficiently clear, ambitious, and coordinated, please provide Timothy and Louis your initial, draft plans by October 17, 2007. As they become available, we will make drafts accessible at [max.omb.gov/community](http://max.omb.gov/community) for other agencies to access and review.

Major milestones in your plan will be assessed each quarter as part of the President's Management Agenda E-Government Scorecard. If you have questions about this policy, please contact Karen Evans, Administrator, E-Government and Information Technology at (202) 395-1181. For additional questions concerning ITDS, please contact Cathy Saucedo at [Cathy.Sauceda@dhs.gov](mailto:Cathy.Sauceda@dhs.gov) or 202-690-5931.

#### Instructions for Completing Agency Plans

Agency plans must describe:

1. Your agency's import and export programs, consistent with your agency's enterprise architecture;
2. Performance measures demonstrating program improvements resulting from using ITDS, as well as measures tracking your agency's progress in utilizing ITDS; and
3. The business processes to be automated by utilizing ITDS.

Additionally, agency plans must schedule when:

4. Performance measures described in the plan will be regularly assessed;
5. Business and system requirements, concepts of operations, and appropriate memorandums of agreement with CBP and other agencies will be completed;
6. Information collections will be consolidated or modified to reduce burden on the public; and
7. Agency rulemaking, capital planning, and investment control processes will be integrated with your agency's plan to fully utilize ITDS by 2009.

#### Instructions to CBP

CBP's plan must also include timelines to:

1. Make accessible to other agencies information reported by importers and carriers to CBP in the Automated Data Warehouse;
2. Advise and support appropriate agencies on how they can take full advantage of current ITDS capabilities and participate in ITDS development and maintenance; and
3. Implement data models (e.g., the World Customs Organization Data Model) to ensure effective interchange or dissemination of information.<sup>1</sup>

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<sup>1</sup> The cost-effective and consistent access to and dissemination of government information is essential to promote a more citizen-centered government. For more information about how to organize and categorize government information and to improve public access and dissemination, see OMB Memorandum M-06-02 "Improving Public Access to and Dissemination of Government Information and Using the Federal Enterprise Architecture Data Reference Model," at: <http://www.whitehouse.gov/omb/memoranda/fy2006/m06-02.pdf>.

## APPENDIX F: HISTORY OF ITDS

### 1993: Origins

The original concept for ITDS is documented in the 1993 Future Automated Commercial Environment Team (FACET) Report. Customs commissioned FACET to make recommendations for the redesign of its commercial processing systems. Customs directed the team to examine international trade processes from both the government and the trade community perspectives and to employ modern information management technologies.

The FACET Report included the following key recommendations:

- Original commercial data should be used as the basis for government trade processing.
- Import and export requirements should be standardized and integrated.
- Integrated government oversight of trade.

An integrated trade database and processing infrastructure should address both the needs of the various government agencies as well as the public's need for international trade information.

### 1995: ITDS Established

In June 1994, the Office of the Vice President issued a report of the National Performance Review entitled *Creating a Government That Works Better and Costs Less - Reengineering through Information Technology*. That sub-report identified thirteen Information Technology initiatives expected to provide "the essential infrastructure for government of the 21st century...and give citizens broader, timelier access to information and services through efficient, customer-responsive processes."

A multi-agency task force was formed representing 53 agencies to address the sixth recommendation that calls for the implementation of an **International Trade Data System**. This system is to meet the needs of the Federal Government agencies involved in international trade, those of the business community, and the general public.

This report led to Vice Presidential Memorandum IT-06 on September 15, 1995, which chartered the ITDS Project Office in the Department of the Treasury. The project office oversaw the federal government information technology initiative that was tasked to implement an integrated, government-wide system for the electronic collection, use, and dissemination of international trade data. ITDS would provide a single window through which the trade community would submit its commercial data, promising to create a government that works better and costs less by:

- Reducing the cost, and burden of processing international trade transactions for both the private trade community and the government
- Improving the enforcement of and compliance with government trade requirements (e.g., public health, safety, export control, etc.)
- Providing access to more accurate, thorough, and timely international trade data and information

A memorandum from then Vice President Gore chartered the ITDS Board of Directors (ITDS BoD). The ITDS BoD was charged with the responsibility of implementing the ITDS vision by working with federal agencies with missions tied to international trade and transportation on policymaking, planning, and management activities. The ITDS BoD charter was reaffirmed in the February 1997 report "Access America: Reengineering through Information Technology". The ITDS BoD reported to and received authority from, the Government Information Technology Services Board.

### **1999: ITDS Project Office is Transferred to the U.S. Customs Service**

By September 1998, significant progress had been made in understanding and documenting ITDS requirements, and a formal Design Report and Concept of Operations (CONOPS) (along with many other documents) were produced. The multi-agency ITDS BoD gave approval to begin work on a pilot system. The ITDS pilot was called the North American Trade Automation Prototype (NATAP) and was the proof of concept for ITDS demonstrating not only domestic harmonization/sharing but also international harmonization with Canada and Mexico. As the work began, it became obvious that ITDS would provide benefits to multiple federal agencies, especially the U.S. Customs Service. As a result, in November 1999, the ITDS Project Office was transferred from the Department of the Treasury headquarters to the U.S. Customs Service.

### **2001: The Short-lived ITDS Pilot Goes Live**

ITDS design and implementation were integrated with Customs modernization and the Automated Commercial Environment (ACE) design and development in early 2000, under the joint oversight of the Customs Modernization Office (CMO) and the ITDS BoD. Under this arrangement, the goals for the ITDS pilot were refined to fit better into the Customs operational environment and to reduce the impact on filers who needed to continue to use the Automated Commercial System (ACS) for the vast majority of their electronic interactions with Customs. In August 2001, the ITDS pilot project went live in Buffalo, New York. However, it was suspended on September 11, 2001 due to operational considerations at the port following the terrorist attacks, and not re-implemented.

### **2003 & Going Forward: The ITDS Vision to be Fulfilled Through PGA Integration into ACE**

In March 2003, the ITDS Project Office moved to the Department of Homeland Security (DHS) with the creation of U.S. Customs and Border Protection (CBP). The ITDS BoD and CBP are working together to aid these participating government agencies (PGAs) in making use of ACE to support their border security, national safety and international trade missions. Today, ITDS is the program that assists the PGAs as they prepare for, integrate their business requirements into, deploy, and sustain ACE. In addition, the program provides guidance on the legal implications of PGA integration into ACE and serves as a forum for agency issues. True to its domestic and global harmonization roots, the ITDS program also spearheads the development and maintenance of the ACE/ITDS Standard Data Set (SDS). This SDS is intended to provide the data needs of the collective PGAs within the ACE development effort as it applies to the collecting and processing of import, export and transportation-related transaction information. The SDS will be aligned to the international standards set by the World Customs Organization (WCO). The goal is to eliminate redundant and obsolete reporting requirements. This allows ACE to offer single window filing to the trade community and supports the WCO's efforts to facilitate the exchange of information between those government agencies that regulate international trade worldwide.

### **2006: The SAFE Port Act Provides Statutory basis for ITDS**

In October 2006, Congress recognized the value of the ITDS concept in the SAFE Port Act, (P.L. 109-347, October 13, 2006) which directed the Secretary of the Treasury to oversee the establishment of an electronic trade data interchange system to be known as the 'International Trade Data System' (ITDS) with the purpose of eliminating redundant information requirements, to efficiently regulate the flow of commerce, and to effectively enforce laws and regulations relating to international trade, by establishing a single portal system, operated by CBP, for the collection and distribution of standard electronic import and export data required by all participating Federal agencies. The Secretary of the Treasury was directed to coordinate interagency participation, in consultation with an interagency committee that included agencies participating in ITDS and the Office of Management and Budget. The Act mandated that all "agencies that require documentation for clearing or licensing the importation and exportation of cargo" participate in ITDS, unless granted a waiver by OMB.

**APPENDIX G: STATUS OF MOUs**

ITDS Legal Actions Tracking Status of Information Sharing MOU Agencies Identified by Import Safety Working Group							
	AGENCY	OR&R	Initial Contact made with PGA	Completed MOU Template Submitted to CBP	PGA CONOPS Status	Initial PGA CONOPS Submitted to CBP	MOU Draft Status
1	FDA HAVE A COMMODITY ANALYST ROLE	AAS	YES	YES	Work in Progress. FDA CONOPS in discussion with CBP to remedy several issues. "Import for Export" remains a challenge. FDA and CBP – OT Entry in talks.	YES	Draft MOU with FDA's edits and CBP's responses sent to FDA (5/18/2009).
2	FSIS HAVE A LPC ADMIN. ROLE	WW	YES	YES	CONOPS was briefed to CBP but not approved. FSIS updates are required based on Deep Dive.	YES	Cleared CBP - Privacy.
3	CDC	SG	YES	YES	Initial CONOPS submitted to CBP.	YES	Under work with CBP-Privacy.
4	APHIS HAVE A LPC ADMIN. ROLE	WW	YES	YES	Partial CBP OT/OFO review on 12/07. Initial review completed on 1/08. CBOP OT/OFO comments sent to AST for revision from APHIS. 10/08 - APHIS updates are required based on Deep Dive.	YES	MOU currently with APHIS under review. 07/13/09
5	CPSC HAVE A COMMODITY ANALYST ROLE	TF	YES	YES	CONOPS have been submitted to CBP but CBP has not been briefed.	YES	6/24/09: Received final Appendix A (Standard Data Set), Appendix B & Appendix C from PGA. 7/29/09: Data MOU being reviewed by CBP Privacy before going "blue sheet", 7/29/09: OR&R met with CPSC to discuss Ops MOU. 9/24/09: Data MOU, with edits, is in review with CBP Privacy.
6	EPA HAVE A COMMODITY ANALYST ROLE	MBMH	YES	YES	CONOPS has been brief to CBP but was not approved. EPA updates are required based on Deep Dive.	YES	3/20/09 request for people at justice CBP dealt with on electronic signature. CBP is working on an electronic signature response. 7/13/09 cbp continues to research electronic signature response. 7/24/09 EPA provided its latest draft and Appx A to CBP for review. 7/27/09 CBP acknowledged receipt. 9/15/09 meeting scheduled for 9/30 to discuss current draft.
7	NRC HAVE A LPC ADMIN. ROLE	MAS	YES	YES	CONOPS has not been presented.	NO	4/3/09: Access to ACE to issue will be via portal, rather than system2system; 5/14/09: send NRC long list of questions to clarify inconsistencies bt ConOps & Functional Assessment(FA); 5/28/09: NRC advise working on responses & seeks copy of FA, emails new version. 6/8/09: draft submitted to CBP Privacy for review.
8	ATF HAVE A COMMODITY ANALYST ROLE	JC	YES	YES	Approved by CBP 6/26/09.	YES	MOU in review with CBP Privacy.
9	DEA	KKV	YES	YES	CONOPS has not been presented.		After meeting w/technical experts, DEA will be submitting a new draft, which has not yet been received by CBP.

**ITDS Legal Actions Tracking Status of information Sharing MOU  
Agencies Identified by Import Safety Working Group cont**

	AGENCY	OR&R	Initial Contact made with PGA	Completed MOU Template Submitted to CBP	PGA CONOPS Status	Initial PGA CONOPS Submitted to CBP	MOU Draft Status
10	NHTSA - DOT HAVE A LPC ADMIN. ROLE	MB	YES	NO Will be part of combined MOU with DOT	Part of consolidated DOT CONOPS; briefed to CBP but not approved.	YES	Part of DOT wide MOU. Draft MOU received from DOT and under review by Privacy Branch, CBP. 2/3/09: received notification from DOT they would like to begin IFDS (International Freight Data System) design testing based upon CBP's AMS data feed.
11	TTB HAVE A LPC ADMIN. ROLE	JC	YES	YES (1/7/08)	CONOPS has been brief to CBP but was not approved.	YES	MOU with CBP Privacy in review. TTB working on Appendices.
12	FWS HAVE A COMMODITY ANALYST ROLE	TF	YES	YES	CONOPS has been brief to CBP but was not approved. F&W updates are required based on Deep Dive.	YES	1/22/09: PGA stated draft was forthcoming from General Counsel's Office. However, no work product provided by PGA. 7/29/09: No draft received from PGA. 9/21/09: Emailed PGA re status of receiving the MOU from PGA. No PGA has been received nor any response from PGA as to an expected date of receipt.
13	FCC HAVE A LPC ADMIN. ROLE	SG	YES	NO	APPROVED – Feb 2007	YES	FCC has reviewed main body of MOU but is working on compiling information for Appendices, e.g., HTSUS #
14	NMFS HAVE A COMMODITY ANALYST ROLE	KKV	YES	NO	CONOPS has been submitted to CBP but it has not been briefed.	YES	CBP reviewed/discussed draft MOU submitted by NMFS. Draft returned to NMFS. NMFS counsel returned revised MOU to CBP. CBP reviewed and returned MOU back to NMFS with edits.
15	AMS HAVE A LPC ADMIN. ROLE	MBMH	YES	YES	CONOPS approved. AMS updates required based on Deep Dive.	YES	3/9/09 meeting to discuss draft. MS will provide 3 follow up items. MMC will clean up draft. Once combined will begin internal review. 3/12/09 received follow up information from AMS. 3/13-7/13 CBP researching and drafting a reimbursable "2X" agreement where CBP receives information. 9/18/09 conference call scheduled for 9/23 to discuss process to get RA and strawman draft. 9/25/09 – Final draft sent to AMS.
16	DOS - Foreign Missions	AAS	YES	YES, draft received 7-10-2008	CONOPS has been brief to CBP but was not approved. Updates are required based on Deep Dive.		MOU returned to DoS with corrections re: cost sharing on 7/30/08. Resent to DoS on 8/11/09.
17	FAA - DOT HAVE A COMMODITY ANALYST ROLE	MB	YES	YES Will be part of combined MOU w/ DOT	Part of consolidated DOT CONOPS; briefed to CBP but not approved.	YES	Part of DOT wide MOU. Draft MOU received from DOT and under review by Privacy Branch, CBP. 2/3/09: received notification from DOT they would like to begin IFDS (International Freight Data System) design testing based upon CBP's AMS data feed.
18	IA (non-ISWG) HAVE A LPC ADMIN. ROLE	SG	YES	YES	CONOPS has been submitted to CBP but not briefed.		MOU returned to IA with changes and corrections on January 27, 2009

**ADDITIONAL ACE PGAS WHO HAVE HAD COMMUNICATION WITH CBP**

	AGENCY	OR&R	Initial Contact made with PGA	Completed MOU Template Submitted to CBP	PGA CONOPS Status	Initial PGA CONOPS Submitted to CBP	MOU Draft Status
19	BLS – U.S. Bureau of Labor Statistics HAVE A COMMODITY ANALYST ROLE	MAS	YES	YES	APPROVED -10/27/06	YES	7/23/09: Details on current ACS extract sent to BLS via CDROM, email history indicates change in approach to the way info is received, so inquire w/ D.Wilson re clarification of changes; 8/3: Advise focus not change from orig – BLS wants only entry summary data (not manifest) & C ROM remains exchange method b/c info sought is too big for portal 9/23/09: updated draft sent to BLS & meeting scheduled w/ BLS [on 10/15] to review draft & resolve any differences
20	BTS – DOT HAVE A COMMODITY ANALYST ROLE	MB	YES	Will be part of combined MOU with DOT	Part of consolidated DOT CONOPS; briefed to CBP but not approved.	YES	Part of DOT wide MOU. Draft MOU received from DOT and under review by CBP. 2/3/09: received notification from DOT they would like to begin IFDS (International Freight Data System) design testing based upon CBP's AMS data feed.
21	Census	WW	YES	YES	APPROVED - 11/04/08	YES	Under review with CBP - Privacy.
22	FMC HAVE A LPC ADMIN. ROLE	KKV	YES	YES	CONOPS has been briefed to CBP but not approved.	YES	FMC has identified new counsel for the MOU. Initial discussions held with new counsel and template transmitted.
23	FMCSA	KKV	YES	YES	Updated CONOPS is being discussed b/w CBP and FMCSA. APPROVAL for Phase 1 only.	YES	MOU sent to FMCSA for final approval of edited document before being circulated at CBP for final signature.
24	FTZB	SG	YES	YES	APPROVED – Feb. 2007	YES	Currently being reviewed by CBP Privacy.
25	IRS HAVE A COMMODITY ANALYST ROLE	WW	YES	YES	CONOPS has been submitted to CBP for review. Updates are required based on Deep Dive.	YES	Under review with CBP - Privacy.
26	ITC		YES	NO	APPROVED – Feb. 2007	YES	The ITC has an ACS MOU with CBP.
27	MARAD – DOT HAVE A COMMODITY ANALYST ROLE	MB	YES	YES	Part of consolidated DOT CONOPS; briefed to CBP but not approved.	YES	Part of DOT wide MOU. Draft MOU received from DOT and under review by Privacy Branch, CBP. 2/3/09: received notification from DOT they would like to begin IFDS (International Freight Data System) design testing based upon CBP's AMS data feed.
28	OFAC HAVE A LPC ADMIN. ROLE	MB	YES	YES	APPROVED – Nov. 2006	YES	Reviewed most recent OFAC draft and returned to OFAC for comments on 1/30/09. Currently, OFAC does not have a replacement attorney assigned to this project since the original attorney left. Offered to meet with them as soon as replacement attorney is assigned and available to review terms of MOU.
29	USACE HAVE A COMMODITY ANALYST ROLE	KKV	YES	NO	APPROVED – 1/30/07	YES	9/23/09 – Legal POC has been identified. CBP has supplied MOU Template and awaits return of a draft. Agency POC indicates that work on appendices is ongoing.
30	DDTC (Directorate of Defense Trade Controls, Dept of State) RESEARCH 7 ANALYSIS ROLE	MAS	YES	NO DDTC submitted ltr requesting establishment of Ltr of Exchange	Letter of Exchange authorizing DDTC with access for 1yr to ACE info relating to the import of defense articles – sent ltr on 8/28/08	NO	

AST - ACE Support Team; Agencies in RED are all DOT components that will have a DOT wide MOU

**APPENDIX H: AGENCY CONCEPT OF OPERATIONS STATUS**

Agency	Agency Concept of Operations		Notes
	Agency Concept of Operations	CBP Approval	
A/LM	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
AMS	100%	100%	Approved 05/19/08; agency updates required based on CCR Deep Dive
APHIS	100%	50%	v3.0 submitted to CBP on 6/18/09; awaiting CBP final approval
ATF	100%	100%	Approved 6/26/09
BIS	0%	0%	Export focus
BLS	100%	100%	Approved 10/27/06
BTS	100%	100%	Approved 7/23/09; Part of consolidated DOT ConOps
CDC	50%	0%	In progress
Census	100%	100%	Approved 1/4/08
CPSC	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
DCMA	50%	0%	In progress
DDTC	50%	0%	In progress
DEA	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
DS/OFM	100%	100%	Approved 7/23/09
EIA	50%	0%	In progress
EPA	100%	50%	Briefed to CBP but not approved
FAA	100%	100%	Approved 7/23/09; Part of consolidated DOT ConOps
FAS	50%	0%	In progress
FCC	100%	100%	Approved 12/16/06
FDA	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
FHWA	100%	100%	Approved 7/23/09; Part of consolidated DOT ConOps
FINCEN	0%	0%	New agency; joined ITDS 10/9/08
FMC	100%	50%	Briefed to CBP but not approved
FMCSA	100%	100%	Approved 1/18/2008 for Phase 1
FSIS	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
FTZB	100%	100%	Approved 2/8/2007
FWS	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
GIPSA	0%	0%	Export focus
IA	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
IRS	100%	100%	Approved 7/23/09
ITC	100%	100%	Approved 2/13/07
MARAD	100%	100%	Approved 7/23/09; Part of consolidated DOT ConOps
NHTSA	100%	100%	Approved 7/23/09; Part of consolidated DOT ConOps
NMFS	100%	100%	Approved 7/23/09
NRC	n/a	n/a	ConOps not required - data consumer only
PHMSA	100%	100%	Approved 7/23/09; Part of consolidated DOT ConOps
OES	50%	0%	In progress
OFAC	100%	100%	Approved 11/27/06
OFE	50%	0%	In progress
ONI	n/a	n/a	Agency has a legacy data agreement with CBP
TSA	0%	0%	Not engaged
TTB	100%	50%	Briefed to CBP but not approved; agency updates required based on CBP comments
USACE	100%	100%	Approved 1/31/07
USAID	0%	0%	Export focus
USCG	50%	0%	In progress
USTR	0%	0%	Not engaged

Legend: 0% Process Not Started; 50% Process in Progress; 100% Process Complete