

SUPPORT A PILOT PROGRAM FOR 10+2 RULE

Dear Members of Congress:

We, the undersigned associations, write to urge Congress to request that Customs and Border Protection (CBP) conduct a prototype program on its proposed “10+2 Rule” prior to issuance of a final rule. There is significant precedent for requiring a prototype program for new CBP rules and the majority of its major initiatives have benefited from such testing.

The proposed rule, which requires 10 new categories of data to be collected on U.S.-bound shipments 24 hours before loading in foreign ports, raises serious concerns for both large and small companies from every sector who depend on imported final products, parts and components for their U.S. operations.

Implementing the proposed rule, as presently drafted, will significantly raise the cost of doing business at a time when increasing global competition and a slowing domestic economy are creating new stresses on U.S.-based manufacturers and companies from every sector. The proposed rule will cost U.S. companies over \$20 billion annually—costs that will be passed down to the consumer at a time when hardworking families can least afford it.

Moreover, U.S. companies have worked tirelessly with CBP to secure their supply chains and to eliminate opportunities for their containers to be contravened. However, many U.S. companies believe the proposed rule creates new security threats by greatly increasing the opportunity for their containers to be tampered with while sitting for an additional two to five days at a foreign port awaiting export because of the additional time required for importers to collect and submit the new data points.

We believe that a prototype program conducted to the specifications of the proposed rule would be the best method for evaluating the proposed rule’s impact on both security and business as well as for identifying ways to improve the rule before the government and industry invest billions of dollars in implementation. This trial application will allow CBP to improve the rule and tailor it to meet the requirement of Executive Order 12866’s requirement that it be least burdensome on “businesses of different sizes.”

We respectfully encourage Congress to request that CBP conduct a prototype program on the proposed rule prior to final implementation.

Thank you,

The Adhesive and Sealant Council, Inc.

AeA (formerly American Electronics Association)

Air Movement & Control Association International, Inc.

Alliance of Automobile Manufacturers

American Apparel & Footwear Association (AAFA)

American Architectural Manufacturers Association

American Association of Exporters and Importers

American Petroleum Institute

The Association for Hose & Accessories Distribution (NAHAD)

The Association For Manufacturing Technology (AMT)

The Association for Suppliers of Printing, Publishing and Converting Technologies (NPES)

Association of International Automobile Manufacturers, Inc.

Association of the Nonwoven Fabrics Industry(INDA)

Automotive Trade Policy Council

Coalition for Employment Through Exports

Computing Technology Industry Association (CompTIA)

Consumer Electronics Association

Consumer Healthcare Products Association

CropLife America

Distilled Spirits Council of the U.S.

Emergency Committee for American Trade (ECAT)

European-American Business Council

Foreign Trade Association of Southern California

Industrial Fasteners Institute

Information Technology Association of America

Information Technology Industry Council (ITI)

International Housewares Association

Joint Industry Group

Metal Treating Institute

Motor & Equipment Manufacturers Association (MEMA)

National Association of Manufacturers (NAM)

National Foreign Trade Council

National Marine Manufacturers Association

Responsible Industry for a Sound Environment (RISE)

Salt Institute

Secondary Materials and Recycled Textiles Association (SMART)

Telecommunications Industry Association

Travel Goods Association (TGA)

U.S. Business Alliance for Customs Modernization (BACM)

U.S. Chamber of Commerce