

U.S. Customs & Border Protection

C-TPAT Update October 28, 2021

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CTPAT Basics

- Customs-Trade Partnership Against Terrorism
- Original CTPAT program was reaction to events of September 11th
 - CTPAT was (and continues to be) part of a multilayered approach to mitigating risk to U.S. import supply chain
- Idea was to have government-private sector partnership/cooperation
- In exchange for certain customs related benefits, private sector would agree to increase supply chain security
- Currently has about 11,000 members and these members responsible for approximately 53% of U.S. imports
- Website: <u>https://www.cbp.gov/border-security/ports-entry/cargo-security/ctpat</u>





CTPAT Benefits

- Reduced number of CBP examinations
- Front of the line inspections
- Possible exemption from Stratified Exams
- Shorter wait times at the border
- Assignment of a Supply Chain Security Specialist to the company
- Access to the Free and Secure Trade (FAST) Lanes at the land borders
- Access to the CTPAT web-based Portal system and a library of training materials
- Possibility of enjoying additional benefits by being recognized as a trusted trade Partner by foreign Customs administrations that have signed Mutual Recognition with the United States
- Eligibility for other U.S. Government pilot programs, such as the Food and Drug Administration's Secure Supply Chain program
- Business resumption priority following a natural disaster or terrorist attack
- Importer eligibility to participate in the Importer Self-Assessment Program (ISA)
- Priority consideration at CBP's industry-focused Centers of Excellence and Expertise





CTPAT Basics

- Roughly equivalent to Authorized Economic Operator programs in other countries
- AEO programs tend to have two components:
 - Trade compliance
 - Supply chain security
- CTPAT traditionally was only about supply chain security and CBP had a separate program for trade compliance called "Importer Self-Assessment" ("ISA"). ISA is now called "Trade Compliance" and is part of CTPAT.
- Japan has AEO program





Japan AEO https://www.customs.go.jp/english/aeo/index.htm

https://www.customs.go.jp/zeikan/seido/aeo/index.htm

| Skip to Content Skip to Site Map > Japanese | |
|---|---|
| Japan Customs Font Size + Large Default - Small ENHANCED BY Google | 読み、 読み、 記録 記録 |
| Home Passenger Export / Import Enforcement Trade Statistics Customs Answer (FAQ) | ホーム > 輸出入手続 > AEO制度(Authorized Economic Operator)制度 > AEO承認(認定)を受けるには |
| Regional Customs Hakodate Tokyo Yokohama Nagoya Osaka Kobe Moji Nagasaki Okinawa Location: Home > Export/Import > AEO(Authorized Economic Operator) Program | AEO承認(認定)を受けるには |
| AEO(Authorized Economic Operator) Program | |
| 1.Outline of Japan's AEO Program / Mutual Recognition | ◇ 申請のプロセス ◇ 審査のポイント ◇ 法令遵守規則(CP)・手順書のモデル ◇ 申請必要書類の一覧 |
| • AEO(Authorized Economic Operator) Challenges of Japan Customs(Pamphlet)(PDF: 1,304KB) 🔀 | ◇ AEO制度に関するFAQ(よくある質問) ◇ AEO制度に関するお問合せ先 |
| 2.Laws and Regulations on Japan's AEO | |
| Structure of Laws and Regulations (Attachement)Laws and Regulations on Importers(PDF:68KB) (Attachement)Laws and Regulations on Exporters(PDF:88KB) 3.Check Sheet for the Compliance Program | 申請のプロセス |
| Check Sheet for Importers/Exporters(PDF:179KB) AList of AEO | AEO事業者になるには、下図の承認(認定)プロセスの様に、法令遵守のための体制整備等を行って頂く こととなります。詳しい要件等については下記の「 <u>審査のポイント</u> 」をご覧ください。 【参考】AEO制度に関するよくある質問(<u>Q1 AEO制度全般に関するもの</u>) |
| Importers(Excel:448KB) Exporters(Excel:24KB) Warehouse Operators(Excel:21KB) Customs Brokers(Excel:457KB) Logistics Operators(Excel:13KB) | AEO 制度に係る承認(認定)プロセスの例 スケジュール 事業者 税関 検討段階 ① ・社内でAEO制度への参加について検討 ・管轄税間のAEO担当部門に相談 ・面談日時の設定 |
| 5.Transition in the Number of AEOs | ・税間との面談 ・税間との面談 ・事業概要・会社組織の説明 ・AEO制度の趣旨、目的、必要事項の |

電話・メール

税関と面談

現状把握

説明

各部門の独立性・中立性(牽制効果)

申請について社の方針の決定

(全社的取組みが必要

法令尊守体制の整備



CTPAT Membership Categories

- Air Carriers
- Consolidators
- Customs Brokers
- U.S. Exporters
- Canadian and Mexican Manufacturers
- Highway Carriers
- Importers

- Mexico Long Haul Carriers
- Marine Port Authority and Terminal Operators
- Rail Carriers
- Sea Carriers
- Third Party Logistics Providers (3PL)



CTPAT Portal https://ctpat.cbp.dhs.gov/trade-web/index

U.S. Customs & Border Protection U.S. Department of Homeland Security

Login

Thank you for your interest and participation in the U.S. Customs and Border Protection's (CBP) Trusted Trader Programs. CBP appreciates your assistance in strengthening global supply chain security and commitment to trade compliance.

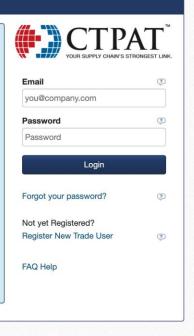
As you begin your application for CBP's Trusted Trader Programs, Trade Compliance and/or the Customs Trade Partnership Against Terrorism (CTPAT), and whenever updating your account(s), always be aware there are user assistance materials freely available at cbp.gov/ctpat. There is no fee or payment required to apply to or remain a Partner in any of CBP's Trusted Trader Programs.

For those who have been assigned a Supply Chain Security Specialist (SCSS) for CTPAT or a National Account Manager (NAM) for Trade Compliance, that CBP Official should always be your first point of contact for all questions relating to supply chain security or trade compliance. If you have not yet been assigned an SCSS for CTPAT, you may contact industry.partnership@cbp.dhs.gov for assistance. If you have not yet been assigned a NAM, you may contact trustedtrader@cbp.dhs.gov for assistance.

These Trusted Trader Programs aim to move toward a whole of government approach to supply chain security and trade compliance by strengthening government collaboration between participating Government agencies.

Notice: This system contains trade secrets and commercial and financial information relating to the confidential business of private parties. The trade secrets act, (18 USC 1905), provides penalties for disclosure of such information. CBP employees who violate this act and make wrongful disclosures of confidential commercial information may be subject to a personal fine of up to \$1,000, imprisonment for not more than one year, or both, and shall be removed from employment. An improper disclosure of certain information contained in this system would constitute a violation of the privacy act (5 USC 552a). Violators could be subject to a fine of not more than \$5,000. Information contained in this system is subject to the 3rd party rule and may not be disclosed to other government agencies without the express permission of the agency supplying the original information.

Paperwork reduction act statement: an agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number. The control number for this collection is 1651-0077. The estimated average time to complete this application is twenty hours per respondent. If you have any comments regarding this burden estimate you can write to U.S. Customs and Border Protection, regulations and rulings, 90 K Street, NE Washington, DC 20229.







Portal Application

| ade Account Profile | | | |
|------------------------------------|--|-----------------------------------|----------------|
| Next Save | | | |
| Company Information | Addresses Users Summary | | |
| All * fields are required. In orde | er to save your trade account profile information you must enter all | the required fields in the Compar | |
| Company Information | | | Ģ |
| Company Name* | | Doing Business As | |
| Ownership Type* | Corporation 🗸 | Telephone Number* | Eg. 2027035711 |
| Fax Number | | Website | |
| Business Start Date* | | Number of Employees* | |
| Company History* | | | |
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Supply Chain Security Topics

There are approximately 200 questions about supply chain security in following areas/topics:

- Upper Management Responsibility
- Risk Assessment
- Business Partners
- Cybersecurity
- Container/conveyances
- Seals

- Procedures
- Agricultural Security
- Physical Security
- Physical Access
- Personnel
- Training





Portal Application

| Ustoms & Border Protection | NIN'S STRONGEST LINK | | | Leip - ▲ Michael Roll - michael Roll@thet |
|---|---|--|---|---|
| Company Names Assigned SCSS: Host Program: C-TPAT | | | DBA: CTPAT Account #: Business Type: Importer; Exporter | |
| Security Model (Rafi Industries - Importer) for Rafi Industries | | | | |
| Previous Next | Save Submit Entire Security Pro | ofile | | |
| Business Type Business Entity Information Addresses | Contacts International Security Profile Summary | 1 | | |
| Security Profile | | | | |
| All Sections of Security Profile are Complete | | | | |
| Security Sections | | Upper Management Respo | nsibility : Corporate Wide Security Measures (1) - Importer,Exporter | |
| Upper Management Responsibility | Approved | Have representatives from all of to create a more sustainable structure and the sustainable stru | the relevant departments been incorporated into a cross-functional team to build a robust Supply Chain S ucture that emphasizes that supply chain security is everyone's responsibility? | ecurity Program? Have these new security measures been incorporated into existing company procedures |
| Risk Assessment | Approved | | | |
| Business Partners | Approved | | | |
| Procedural Security | Approved | SCSS Comments: | | No character limit for respons |
| Conveyance and IIT | Approved | | | |
| Agricultural Procedures | Approved | Navigation Previous Save/Next | Documents Upload Associate View Remove | |
| Physical Security | Approved | | | |
| Access Controls | Approved | Section Criteria | | |
| Personnel Security | Approved | Status # | Criteria | Help |
| Education and Training | Approved | Approved 1 | Upper Management Responsibility : Corporate Wide Security Measures (1) - Importer_Exporter Have representatives from all of the relevant departments been incorporated into a cross- functional team to build a robust Supply Chain Security Program? Nave these new security measures been incorporated into existing company procedures to create a more sustainable structure that emphasizes that supply chain security is everyone's responsibility? | Does your company have a team which maintains your supply chain security program? If yes, please detail the members of the team and each respective function. |
| Cybersecurity | Approved | Approved 2 | Upper Management Responsibility: Audit Program (2) - Importer/Exporter Is the supply chain security program designed with supported by and implemented by an appropriate written review component? The purpose of this review component is to document that a system is in place whereby personnel are held accountable for their responsibilities and all security procedures outlined by the security program are being carried out as designed. This is a meuirement. | Briefly describe your company's supply chain security audit program, and list who (title or department) is responsible for administering it. This is a must to be part of the CTPAT program. |





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Portal Application

Conveyance and IIT : Secure Storage IIT (56) - Importer, Exporter

| nveyances and Instruments of International Traffic (IIT) stored in a secure area to prevent unauthorized access, which could result in an alteration to the structure of an Instruments of International Traffic or (as applicable) allow the seal/doors compromised? This is a requirement. | |
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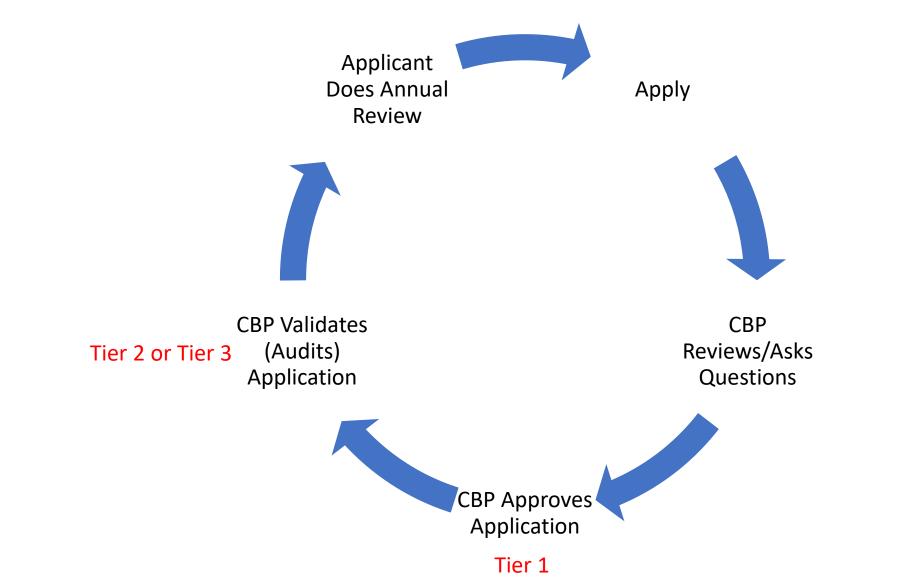




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CTPAT Application Steps





What's new about CTPAT?

- In 2020, CBP created many new criteria
 - New sections on upper management responsibility, forced labor, agricultural security and heavy emphasis on security training and cybersecurity
- During pandemic, validations (audits) have been virtual
 - Previously, CBP would conduct site-visit to domestic site visit (importer) and then every 3-4 years visit a non-U.S. location in the importer's supply chain
 - For example, visit warehouse/office in Los Angeles, CA and then visit factory in Japan that makes the products shipped to the importer in Los Angeles
 - Now, CBP still conduct either/both visits every 3-4 years but visit is virtual





Membership Criteria

- Be an active US importer or non-resident Canadian importer that has imported goods into the US within the past 12 months
- Have an active US importer of record (IOR) number
- Have a valid continuous import bond registered with CBP
- Operate a business office staffed in the US or Canada
- Designate a company officer who will be the primary cargo security officer responsible for CTPAT
- Commit to maintaining the CTPAT supply chain security criteria
- Complete a supply chain security profile in the CTPAT portal, identifying how it will develop, maintain, and enhance internal policy to comply with the CTPAT importer security criteria
- Have no unpaid debt owed to CBP at the time of the application for which a final judgment or administrative disposition has been rendered





Minimum Security Criteria

- English:
 - <u>https://www.cbp.gov/sites/default/files/assets/documents/2020-</u> <u>Apr/CTPAT%20Foreign%20Manufacturers%20MSC%20March%202020.pdf</u>
- Japanese translation
 - <u>https://www.cbp.gov/sites/default/files/assets/documents/2020-Aug/Japanese%20-</u> %20CTPAT%20Foreign%20Manufacturers%20MSC%20March%202020%5B1% <u>5D.pdf</u>



Examples of New Questions – Upper Management Responsibility



Is the supply chain security program designed with, supported by, and implemented by an appropriate written review component? The purpose of this review component is to document that a system is in place whereby personnel are held accountable for their responsibilities and all security procedures outlined by the security program are being carried out as designed. This is a requirement.

Upper Management Responsibility : Updating Audit Program(3)

Is the review plan updated as needed based on pertinent changes in your organization's operations and level of risk? This is a requirement.

Upper Management Responsibility : POC Requirements(5) Are the POCs knowledgeable about CTPAT's program requirements? This is a requirement.



Examples of New Questions - Forced Labor

Business Partners : Forced Labor(22)

Is a documented social compliance program in place that, at a minimum, addresses how the company ensures goods imported into the United States were not mined, produced or manufactured, wholly or in part, with prohibited forms of labor, e.g., forced, imprisoned, indentured, or indentured child labor?





Examples of New Questions - Agriculture

Agricultural Procedures : Written procedures(111)

In accordance with the applicable business model, are there written procedures in place that are designed to prevent visible pest contamination to include compliance with Wood Packaging Materials (WPM) regulations? Do measures regarding WPM meet the International Plant Protection Convention's (IPPC) International Standards for Phytosanitary Measures No. 15 (ISPM 15)? This is a requirement.

Agricultural Procedures : Implement Pest Prevention (112) Are visible pest prevention measures adhered to throughout the supply chain? This is a requirement.

Agricultural Procedures : Cargo Staging Areas Pest Inspection (113) Are cargo staging areas, and the immediate surrounding areas, inspected on a regular basis to ensure these areas remain free of visible pest contamination? This is a requirement.





Examples of New Questions - Training

Education and Training : General Security Training(165)

Employees who understand why security measures are in place are more likely to adhere to them. Is security training provided to employees, as required based on their functions and position, on a regular basis? Do newly hired employees receive this training as part of their orientation/job skills training? Is the training program comprehensive and does it cover all of CTPAT's security requirements? This is a requirement.

Education and Training : Sensitive Positions(166)

Do personnel in sensitive positions receive additional specialized training geared toward the responsibilities that the position holds? This is a requirement.

Education and Training : Refresher Training(167)

Is refresher training conducted periodically, as needed after an incident or security breach, or when there are changes to company procedures? This is a requirement.

Education and Training : Training Records(168)

Is training evidence retained, such as training logs, sign in sheets (roster), or electronic training records? This is a requirement.





Examples of New Questions - Training

Education and Training : Inspections(171)

Are drivers and other personnel that conduct security and agricultural inspections of empty conveyances and IIT trained to inspect their conveyances/IIT for both security and agricultural purposes? Does inspection training include the following topics: signs of hidden compartments, concealed contraband in naturally occurring compartments, and signs of pest contamination? These are requirements.

Education and Training : Security Incidents(174)

Are employees trained on how to report security incidents and suspicious activities? This is a requirement.

Education and Training : Pest Contamination(175)

Is training provided to applicable personnel on preventing visible pest contamination? Does training encompass pest prevention measures, regulatory requirements applicable to wood packaging materials (WPM), and identification of infested wood? These are requirements.





Examples of New Questions - Training

Education and Training : Money Laundering(176)

Is specialized training provided annually to personnel who may be able to identify the warning indicators of trade based money laundering and terrorism financing?

Education and Training : Suspicious Shipping Documents (177)

Are relevant personnel trained on how to identify information in shipping documents, such as manifests, that might indicate a suspicious shipment? This is a requirement.

Education and Training : Cybersecurity(178)

As applicable based on their functions and/or positions, are employees trained on the company's cybersecurity policies and procedures? Does this include the need for employees to protect passwords/passphrases and computer access? This is a requirement.

Education and Training : Security Technology(179)

Have employees operating and managing security technology systems received training in their operation and maintenance? Prior experience with similar systems is acceptable. Self-training via operational manuals and other methods is acceptable. This is a requirement.



Cybersecurity : Written Cybersecurity Policies(180)

Are comprehensive written cybersecurity policies and/or procedures in place to protect information technology (IT) systems? Does the written IT security policy, at a minimum, cover all of the individual cybersecurity criteria? These are requirements.

Cybersecurity : Annual Review IT Policies(181)

Are cybersecurity policies and procedures reviewed annually, or more frequently, as risk or circumstances dictate? Following the review, are policies and procedures updated if necessary? These are requirements.

Cybersecurity : IT Disaster Plan(182)

If a data breach occurs or an event results in the loss of data and/or equipment, do procedures include the recovery (or replacement) of IT systems and/or data? This is a requirement.

Cybersecurity : Social Engineering(184)

Are policies and procedures in place to prevent attacks via social engineering? This is a requirement.



Cybersecurity : Identifying IT Abuse(186)

Is a system in place to identify unauthorized access of IT systems/data or abuse of policies and procedures including improper access of internal systems or external websites and tampering or altering of business data by employees or contractors? This is a requirement.

Cybersecurity : IT violations, Disciplinary Actions(187) Are all violators subject to appropriate disciplinary actions? This is a requirement.

Cybersecurity : Security Software(188)

To defend Information Technology (IT) systems against common cybersecurity threats, has sufficient software/hardware been installed for the protection from malware (viruses, spyware, worms, Trojans, etc.) and has an internal/external intrusion detection system been installed (firewalls)? These are requirements.

Cybersecurity : Updating Security Software(189)

Is security software current and does it receive regular security updates? This is a requirement.



Cybersecurity : Test IT Systems(190)

When utilizing network systems, is the security of the IT infrastructure regularly tested? If vulnerabilities are found, are corrective actions implemented as soon as feasible? These are requirements.

Cybersecurity : Regular IT Inventories(192)

Are all media, hardware, or other IT equipment that contains sensitive information regarding the import/export process accounted for through regular inventories? This is a requirement.

Cybersecurity : Disposal of IT Equipment(193)

When disposed, are they properly sanitized and/or destroyed in accordance with the National Institute of Standards and Technology (NIST) Guidelines for Media Sanitization or other appropriate industry guidelines? This is a requirement.

Cybersecurity : Personal Devices(194)

If employees are allowed to use personal devices to conduct company work, do all such devices adhere to the company's cybersecurity policies and procedures to include regular security updates and a method to securely access the company's network? This is a requirement.



Cybersecurity : Remote Access(200)

When users are allowed to remotely connect to a network, are secure technologies employed, such as virtual private networks (VPNs), to allow employees to access the company's intranet securely when located outside of the office? Are procedures in place that are designed to prevent remote access from unauthorized users? These are requirements.





Virtual Validation







Virtual Validation

Conveyance and IIT- Musts

Secure Storage IIT

Question

 Are conveyances and Instruments of International Traffic (IIT) stored in a secure area to prevent unauthorized access, which could result in an alteration to the structure of an Instruments of International Traffic or (as applicable) allow the seal/doors to be compromised? This is a requirement.



Section 2 - Transportation Security: Conveyance, Seal, Procedural, and Agriculture Security

| | | Yes, No, | Description of Procedure or Explanation |
|--------|---|----------|--|
| Item # | Section/Control Description | or N/A | of any "No" or "NA" Answers |
| 5.1 | Are containers (both empty and full) stored in a secure area to prevent unauthorized access and/or manipulation? Please provide photos. | YES | The entropy facility has 250 secured spots, and in the processing of extending the fenced area to add full coverage of the building. |

Partner Response

- ACME COMPANY provides a Vendor Factory Load Letter with instructions in the International Logistics Vendor Guide, that stipulates the manufacturer is to provide verifiable security systems for cargo storage and handling facilities and container yards in order to prevent the improper manipulation and transportation or handling of cargo and/or containers/trailers.
- CFS facilities are CTPAT certified and are required to have IIT stored in a secure area.
- ACME COMPANY Deconsolidator partners that are not CTPAT certified, validate via the self assessment and follow up photo proof that IIT are being stored in a secure area.
- ACME COMPANY Distribution Facilities store empty containers in yard prior to Carrier pickup.
- CTPAT Manual 2.1.1, 2.1.1a







Questions??

