

~~responded/reacted about 3 hours later to do "business resumption"..."~~

Here is our Business Resumption plan that we put together with CBP and it has worked well...
This was put together in writing when I was on the NCBFAA Business Resumption Sub
Committee..."

2. Written instructions attached.

CALEXICO

1. Email from local broker

a. Calexico & Tecate do NOT have a written downtime procedure. And they're in the same district [as Otey Mesa]. I'll let the other southern border POE's speak up for themselves. Meanwhile at the southern land border drivers and clients get impatient by the minute.

CHAMPLAIN

1. Email from local broker

a. "Champlain did not issue written instructions – they told our office that they wanted a paper copy of the manifest, and if the driver didn't have a copy of his manifest, they did take a copy of other documents like a BOL where they write the shipment control number, and sometimes they turned the truck around."

DALLAS

1. Refer to CSMS 17-000444

2. Email from CBP

a. Greetings,

Do you have any thoughts on the ACE outage from last week? Only a few people came in to request paper cargo releases. My thought that the expectation was that the outage would be short. Is there a suggestion for our local process that you would like to see?

I am not promising anything but this is a good time to take a look at the processes.

Regards,

Assistant Area Port Director

Area Port of Dallas

b. Greetings,

If you need a shipment released prior to ACE coming back up we can accept hard copy documents. We will process the release on the paper and process the release in the system once ACE is back.

Regards,

Assistant Area Port Director

Area Port of Dallas

c. Thank you ladies for your input. I will look into the FTZ issue.

Regards,

Assistant Area Port Director

Area Port of Dallas

3. Email from broker to CBP

a. "Hello, My only issue was an FTZ entry that needed 8/2 as a release date. I went to CBP as directed and spoke to officer Crim who indicated I was crazy to think I could be a date stamped release since the system was down. He told me my clock in would work and they CBP could (would back date the release) I called once the system was back up (only left one message as I'm not a helicopter dialer) still have not received a call back but today received my paper release back with the date of 8/3/2017 as release which isn't correct. Not sure how this effects my FTZ entry since Wednesdays supposed to be my release dates."

4. Email from Broker to CBP

a. "Good afternoon! Can't speak for the whole group, but another broker and I were chatting back and forth last week quite a bit. I think your assessment that all thought it would be short-lived, is most accurate. Dealing with ports across the country, every single one had a different way to handle, and it was confusing at best.

First the CMSM coming from HQ always seemed to suggest back online any moment, which as we know now was a series of up and down. Once they directed us to use the systems down protocol, I think that is really what set in panic!

Personally, I believe the way to handle it is through paper (back to the stone ages) with some direction to the trade as if your shipments are HOT, please give CBP a break...we know the manual process puts an extra load on your team, but at the same time we can't prohibit trade.

In the same thread, if there is anything that we, the trade, could do to help your team, please don't hesitate to ask and we will spread the word!"

DETROIT

1. Email from local broker

- a. "It's a huge issue at the border, because they say that they don't want to give written procedures because each scenario is different. I have told them that this is unacceptable and will tell them that again tomorrow."
- b. Unofficial for 3807 Detroit Airport...Nothing for 3801 Detroit and 3802 Port Huron.
- c. "We are bringing this up at our Trade Day tomorrow."

HIDALGO

1. Emails between brokers

- a. ~~"Port of Brownsville went smooth sailing during the downtime last week.. CBP officers did a great job of keeping the trade shipments moving...It was not so good in Hidalgo... They responded/reacted about 3 hours later to do "business resumption"... "~~

JFK

1. Notice from CBP

- a. To the Trade Community; The following information is being provided through the JFK Pipeline distribution list:

JFK Airport has instituted as of 10:30 hrs. Wednesday 8/2/2017 down time procedures to process hard copy entries at Building 77 for perishable and time sensitive cargo. As of 2:30pm ACE processing continues to experience a system wide outage. CBP JFK will continue to process perishable time sensitive entries with the submission of paper at Building 77 until such time as this nationwide outage is rectified.

JFK Airport

Trade Operations Division

New York Field Operations

LAREDO

1. Email from CBP

- a. **From:** TABOADA, ARMANDO [<mailto:ARMANDO.TABOADA@CBP.DHS.GOV>]
Sent: Friday, August 25, 2017 9:57 AM
Subject: Truck Business Resumption: Awareness Hurricane Harvey

August 25, 2017

Good morning Trade Community (Laredo Field Office – area of responsibility),
In anticipation of the potential effects of Hurricane Harvey, Laredo Field Office and Ports are ready to implement our Truck Business Resumption Plan **if needed**. **If** the Automated Commercial Environment program goes down, we will implement the procedure noted below.

If the Business Resumption Plans are implemented at the Port of Brownsville, Progreso, and/or Pharr, the message will be coming from the perspective Port Director/Assistant Port Director (Trade - Business Resumption Coordinator).

In the event that the ACE System is not available, the corresponding APD Trade for your port location will issue out instructions/guidance as per local Business Resumption Continuity Plans.

For your information, we currently have the following plan/steps in place to ensure that cargo moves forward.

Business Resumption Plan to be implemented by the truck carriers or Brokers in order for CBP to adequately clear shipments for security purposes.

Truck Carrier and/or US Customs House Broker will need to do the following:

For entries that received **Certification message from CBP** you will need to provide:

- Inward Cargo Manifest 7533 with Trip number, Driver information on Manifest, and Entry number (No paper packet from broker)

For entries that received **Certification message from CBP** and **No Electronic Manifest has been transmitted**, you will need to provide:

- Inward Cargo Manifest 7533 with Trip number, Driver information on Manifest, and Entry number (No paper packet from broker)

For entries/shipments that **DID NOT receive Certification from CBP and No Electronic Manifest transmitted**, these shipments will be treated as **“Dispatch”** shipments and require the following:

1. Submit Paper Manifest (CBP 7533), Driver information on Manifest, and Entry Packet (3461 Long Form and Invoice(s).
2. Paper Manifest (CBP 7533) must contain the Entry Number, Description of Merchandise, Quantity, Hazmat Information, Empty/Loaded indicator, and Driver Information;
3. CBP will review for Security via ATS and will check that each load/shipment has a corresponding entry number;
4. CBP will issue a **Conditional Release** unless shipment needs to be held for examination; and

5. When System(s) come back on line, Broker will be responsible for certifying entry/entries and Carrier must transmit Electronic Manifest.

If there is a shipment(s) that needs to be Redelivered once ACE comes back on line, it will be the US Customs House Broker and Carrier's responsibility to return shipment with commodity to Port of Entry.

CBP Personnel at 8 ports of entry have been advised to follow these procedures.

Points of Contact at 8 ports are as follows:

Port of Brownsville 2301 – Bob Parker, APD 956-983-5805/5800

Port of Del Rio 2302 – David W. Green, APD 830-306-4360

Port of Eagle Pass 2303 – Gilbert R. Sepulveda, APD 830-752-3592/3598

Port of Laredo 2304 – Alberto Flores/Javier Vasquez, APD 956-794-9494/9495

Port of Pharr 2305 – Andres A. Vega, APD 956-843-5701

Port of Rio Grande 2307 – Imelda, Recio, APD 956-487-1662

Port of Progreso 2309 – Walter Weaver, APD 956-982-6409

Port of Roma 2310 – David A. Alvarez, APD 956-849-1678

Thanks,

Armando Taboada Jr.

956-693-8807

Center Director - Machinery

Laredo Field Office

956-753-1773 – Office

956-753-1775 – Fax

2. Email from CBP

a. August 11, 2017

Good Afternoon Burlington Northern, Kansas City Southern, Union Pacific Rail Representatives and CBP Port Managers,

Due to the scheduled ACE Production Outage (maintenance) for this weekend, please **transmit your train consists by 8:30 p.m.** for those trains that will cross into the U.S. between the hours

of 9:00 p.m. August 12, 2017 (Saturday Night) thru 3:00 a.m. central time (Sunday morning) August 13, 2017.

As per our Business Resumption Continuity Plan for Rail, please submit your train consists early so that it can be processed by CBP and avoid any trains being held as a result of pending consist reviews.

For those consists that were **not submitted** prior to ACE Production Outage and are scheduled for Northbound crossing during ACE outage period, Rail Carrier will need to do the following:

- Submit Paper Manifest 1 hour in advance before trains arrival at CBP Port of Entry;
- Paper Manifest (Consist) must contain the Bill of Lading Number, Entry Number, Description of Merchandise, Quantity, Hazmat Information, and Empty/Loaded indicator;
- CBP will review for Security via ATS and will check that each load/shipment has a corresponding entry number;
- CBP will advise Rail Carrier when train/consist(s) is cleared to proceed; and
- CBP will provide a conditional release. **If there is a shipment(s) that needs to be Redelivered once ACE comes back on line, it will be the Rail Carrier's responsibility to return rail car with commodity to Port of Entry.**

In the event that the ACE System is still **not available by Sunday morning at 8:00 a.m.** Central Time, the above mentioned steps will continue to be implemented by the Rail carrier(s) in order for CBP to adequately clear train/consist(s) that are scheduled after 8:00 a.m. Northbound. If there is a shipment(s) that need to be Redelivered once ACE comes back on line, it will be the Rail Carrier's responsibility to return rail car with commodity to Port of Entry.

Points of Contact at 3 ports are as follows:

Port of Brownsville 2301 – Bob Parker, DPD 956-983-5805/5800

Port of Eagle Pass 2303 – Gilbert R. Sepulveda, APD 830-752-3592/3598

Port of Laredo 2304 – Francisco Garcia, APD 956-794-9494/9495

Thank You,

Francisco D. Molina

Supervisory CBP Officer, Program Manager

Laredo Field Office

Office (956) 753-1772

Cellular (956) 282-9593

MIAMI

1. Written instructions attached.

NORFOLK

1. Written instructions attached.

OTAY MESA

1. Notice from CBP
 - a. Otay Mesa has a Port Information Notice (PIN) dated Feb. 15, 2017 for “**ACE Cargo Release Downtime Procedures**”.
 - b. Email from a broker

“One time I even had to call the Port Director to get their officers to follow the PIN after the CSMS was posted.”

PORTLAND

1. Email from local broker
 - a. “Portland utilizes either SFO or LA procedures. SFO, SEA & PDX have not provided any guidance.”

TECATE

1. Email from local broker
 - a. Calexico & Tecate do NOT have a written downtime procedure. And they’re in the same district [as Otey Mesa]. I’ll let the other southern border POE’s speak up for themselves. Meanwhile at the southern land border drivers and clients get impatient by the minute.

GENERAL

1. INFORMAL BROKER NOTES FROM CBP ACE CALL 08-03-17

a. VPN down – the issue is at the DHS one net layer. The firewall is the issue. That group is working hard to resolve. If you are having VPN issues and you have not contacted your client rep, do so immediately. Those who have contacted ABI are being escalated to One Net.

We are resolving issues and quite a few filers who were out, but are now back in business. We are aware there are too many who are still not able to connect.

THE MONITORING ON ace IS NOT FOR ANYTHING ABOVE THE ace SYSTEM, THAT IS WHY THE DASHBOARD is not showing as not working. As far as we concerned, we were processing anything that reached us. Clients are looking at this dashboard and saying it is working, why can't you file my entry.

End users go to this page and do not understand that level of complexity.

Lena is sending a CSMS message out within the next few minutes. Will include more information about some filers may be and some still cannot access.

Clarification of yesterday's issues – it was an ACE incident on the ACE system. We had a hardware failure. Issue with power supply units on one of our primary servers. The units did not totally fail, they failed in stages. As it got to the end of life, it failed quickly which caused internal outages. The system did not do a clean switch over. It brought the whole system down. Anything that did make it through was rejected. Completed failed state by 7:00 AM. 7:00 – 9:00 PM it took that long to get things restored.

During this time frame, IBM was in to repair the server that crashed and correct power supply. That server was brought back on line by 7:30PM. We moved processing (a handful) back to that server.

We didn't take everything back because it would create another outage. We will have those tasks this Saturday at 10PM.

All technicians monitoring the systems to make sure we are aware of performance issues, so we can stand down non critical performances.

Since 9:00 PM last night all processes have been up and are processing normally.

The CSMS 17-000454 has been issued about the update to the VPN.

Part of what happened yesterday. We started with 30K messages that were in rejected status, and they should not have rejected. We are working on them now. (Gary S)