SUMMARY: This document announces the transition of the Electronic Certification System (eCERT) to an updated version, eCERT 2.0, which will become the sole method for participating in the eCERT process. The updated version includes three new features that will enhance the existing system by implementing additional validations that verify the authorized use of quota certificates. The use of eCERT 2.0 will allow for the decrementing of quota certificates to prevent these certificates from being overused.

Additionally, importers will be able to query their usage of the quota certificates via the Automated Broker Interface. In order to participate in eCERT 2.0, importers must provide the participating country with the Importer of Record (IOR) number in advance of filing an entry, and, in turn, the participating country must submit the IOR number as an additional data element of information within the transmission for eCERT 2.0. The transition to eCERT 2.0 will not change the tariff-rate quota or tariff preference level filing process or requirements. Importers will continue to provide the export certificate or certificate of eligibility numbers from the participating countries in the same manner as when currently filing entry summaries with U.S. Customs and Border Protection. The format of the export certificate and certificate of eligibility numbers will remain the same for the corresponding eCERT transmissions.

DATES: The transition to eCERT 2.0 will be operational as of September 25, 2022.

FOR FURTHER INFORMATION CONTACT: Julia Peterson, Chief, Quota and Agriculture Branch, Trade Policy and Programs, Office of Trade, (202) 384–8905, or HQQUOTA@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

Background

The Electronic Certification System (eCERT) is a system developed by U.S. Customs and Border Protection (CBP) that uses electronic data transmissions of information normally associated with a required export document, such as a license or certificate, to facilitate the administration of quotas and ensure that the proper restraint levels are charged without being exceeded. Foreign countries participating in eCERT transmit information directly or via a global network service provider to CBP's automated electronic data processing system, the Automated Commercial Environment (ACE).

Specific data elements are transmitted to CBP by the importer of record (or an authorized customs broker) when filing an entry summary with CBP, and those data elements must match eCERT data from the foreign country before an importer may claim any applicable in-quota tariff rate of duty or the preferential duty rate under a tariff preference level (TPL). An importer may claim an in-quota tariff rate or preferential duty rate when merchandise is entered, or withdrawn from warehouse, for consumption, only if the information transmitted by the importer matches the information transmitted by the foreign government. If there is no transmission by the foreign government.
government upon entry, an importer must claim the higher over-quota tariff rate or most-favored nation (MFN) rate of duty. An importer may subsequently claim the in-quota tariff rate or preferential duty rate under certain limited conditions. Currently, Australia, Uruguay, New Zealand, and Argentina are approved for the use of eCERT for transmitting export certificates for certain beef entries subject to the tariff-rate quota. Additionally, Mexico is approved for the use of eCERT for transmitting certificates of eligibility for certain textile and apparel goods that are eligible for preferential treatment under a TPL. This document announces that the transition of eCERT to eCERT 2.0 will be operational as of September 25, 2022, and eCERT 2.0 will become the sole method for participating in the eCERT process at that time. As of that date, the below-mentioned enhancements will become operational for the transmission of export certificates for certain beef entries from Australia, Uruguay, New Zealand and Argentina, and for the transmission of certificates of eligibility for certain textile and apparel goods from Mexico. The updated system will include three new features that will enhance the existing eCERT system by implementing additional validations that verify the authorized use of quota certificates. One of the enhancements will allow the eCERT system to decrement the usage of quota certificates and prevent those certificates from being overused, and thus, provide CBP with better and more easily available awareness of the certificate usage. Secondly, participating countries will have enhanced querying capabilities to query and track actual certificate usage in eCERT 2.0. The third enhancement will be a new Automated Broker Interface (ABI) query which will enable importers to query their usage of quota certificates. Importers are expected to exercise reasonable care pursuant to 19 U.S.C. 1484 when filing entries and tracking their usage of quota certificates and the availability of a new query capability in eCERT 2.0 does not relieve importers of this responsibility. In order to participate in eCERT 2.0, importers must provide the participating country with their Importer of Record (IOR) number in advance of filing an entry, and, in turn, the participating country will submit the IOR number as part of the eCERT transmission to CBP. The participating country will submit the IOR number as an additional data element of information within the single transmission message to eCERT 2.0. At this time, CBP recommends that importers share the IOR numbers with their exporters in advance of September 25, 2022, to allow for participating countries to test the updated system with actual IOR numbers and avoid rejection of the transmission due to missing IOR numbers in the eCERT 2.0 system. In general, importers will need to provide the IOR numbers only once to the participating exporter or country (which should be no later than 30 days in advance of filing an entry), but importers should ensure that the exporter has the IOR number on file for future transmissions. The transition to eCERT 2.0 will not change the tariff-rate quota or TPL filing process or requirements. Importers will continue to provide the export certificate or certificate of eligibility number from the participating countries in the same manner as when currently filing entry summaries with CBP. The format of the export certificate and certificate of eligibility numbers will remain the same for the corresponding eCERT transmissions.

Dated: August 18, 2022.
AnnMarie R. Highsmith,
Executive Assistant Commissioner, Office of Trade.
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DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency

Hazard Mitigation Assistance Program and Policy Guide

AGENCY: Federal Emergency Management Agency, DHS.
ACTION: Notice, request for comments.
SUMMARY: The Federal Emergency Management Agency (FEMA) is accepting comments on its 2022 update to the Hazard Mitigation Assistance (HMA) Program and Policy Guide (formerly 2015 HMA Guidance and Addendum). The HMA Program and Policy Guide was last published in 2015. The primary purpose of this update is to incorporate existing policies and guidance materials issued since 2015, simplify guidance materials, and revise the document to increase overall accessibility and organization.
DATES: Comments must be received by September 23, 2022.
FOR FURTHER INFORMATION CONTACT: Jennie Orenstein, Branch Chief, Hazard Mitigation Division, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212–4071, jennie.gallardy@fema.dhs.gov.
SUPPLEMENTARY INFORMATION:

I. Public Participation

Interested persons are invited to participate in this update to the Hazard Mitigation Assistance (HMA) Program and Policy Guide (formerly 2015 HMA Guidance and 2015 HMA Guidance Addendum) by submitting comments and related materials. We will consider all comments and material received during the comment period.