

GLOBAL BUSINESS IDENTIFIER (GBI) INITIATIVE
U.S. Customs and Border Protection (CBP) Paperwork Reduction Act (PRA)
Question, Comments, and Responses

Entity	Questions / Comments and CBP Responses
Warehouse Service	<p>Comment: As a bonded warehouse we do not have access to the ACE system and when a shipment is released by CBP we have to ask the broker for a copy of the 3461 or another document that proves this is released by CBP. If you eliminate the 3461 (which we have no opposition) please think how the bonded warehouse will obtain proof of release.</p> <p>CBP Response: CBP is not intending to eliminate the CBP Form 3461 (Entry/Immediate Delivery for ACE). Please see <i>Federal Register</i> Notice 86 FR 55628, dated October 6, 2021, which invited the public to and other Federal agencies to comment on information collected on CBP Form 3461, including the “addition” of the three Global Business Identifiers (GBI) identifiers: (20 -Digit Legal Entity Identifier (LEI), 9-digit Data Universal Numbering System (D-U-N-S®), and 13-digit Global Location Number (GLN) for entry filer and manufacturer/producer, seller , and shipper, and optionally for exporter, distributor, and packager. The notice further provided that the GBI identifiers are the new optional data elements that are being collected to identify the legal entity that is interacting with CBP. This notice is to inform that GBI data will be added as optional data elements to the electronic submission of the CBP Form 3461.</p>
General Motor North America	<p>Question: What information is required by an importer?</p> <p>CBP Response: If the importer of record (or licensed customs broker) wishes to become a GBI EPoC participant, it must submit an email to CBP at globalbusinessidentifierin@cbp.dhs.gov, indicating its intent to participate in the GBI EPoC. The email message must contain all three of the requestor’s GBI identifiers (D-U-N-S®, GLN and LEI numbers) (or evidence that they are in the process of securing the three identifiers) for the importer(s) of record (serving dual functions), manufacturers, and sellers, or suppliers of merchandise that are subject to the conditions of the test (commodity + country of origin), and optionally for the distributor, exporter, and packager, and a statement indicating that the importer will, or has clients that intend to, import commodities that are subject to the EPoC test from countries that are subject to the EPoC test. If selected, importers of record, who do not self-file must advise CBP that they have authorized their licensed customs broker(s) to file qualifying entries under the GBI EPoC test.</p>
e2e Logistics Consulting	<p>Question: Will we be able to query the LEI, GLN, and DUNS the same way we do the MID number?</p> <p>CBP Response: No, not at this time. CBP is not anticipating development of a query capability for the GBI numbers (LEI, GLN, DUNS.) Please reach out to the individual entity identifier companies (Dun & Bradstreet (D&B) (https://www.dnb.org), GS1 (https://www.GS1.us.org), and Global Legal Entity Identifier Foundation (GLEIF) (www.gleif.org)) to query the GBI numbers for the company in question to confirm their LEI, GLN, and DUNS number.</p> <p>Question: Understanding that the GBI solution is intended as an alternative to the current Manufacturer/Shipper Identification Code (MID), it should be noted that ABI/ACE has historically included a means of verifying the MID number by means of an ACE Query whereby CBP will return whether that code is on file or not and if so, include additional name and address information. Does CBP intend to provide something similar for The Trade so they can validate the GBI before including them in their import clearance transactions?</p> <p>CBP Response: No, not at this time. CBP is not anticipating development of a query capability for the GBI numbers (LEI, GLN, D-U-N-S ®). Please reach out</p>

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	to the individual entity identifier companies (D&B, GS1 US, and GLEIF) to query the GBI numbers for the company in question to confirm their LEI, GLN, and DUNS number.
Expeditors International of Washington, Inc.	<p>Comment: Expeditors requests that CBP consider allowing a participant to transmit just one or (at most) two of the GBI identifiers for the manufacturer/producer, shipper, and seller, rather than all three identifiers.</p> <p>CBP Response: CBP intends to test all three identifiers in the EPoC to identify the optimal combination of the entity identifiers to best meet the United States Government (USG) data needs and to create a common language between USG and trade. This is relevant to the commercial complexity of the current supply chain because this can create a common language, improve data quality and efficiency and provides entities with a global and digital fingerprint. This also allows the trade to manage and validate their data and streamline import data collection and utilize identifiers currently in use with broad sector coverage.</p> <p>Comment: Expeditors recommends that CBP allow submission of the identifiers on CBP Form 3461 <u>or</u> CBP Form 7501.</p> <p>CBP Response: CBP is currently developing this capability for an AE (7501) filing that is certified for Cargo Release (SE) and anticipates this will be ready during the test. Once it is determined that this capability is ready CBP will update the Entry Summary CATAIR accordingly to accept GBI data. When these capabilities and updates are affected, CBP will publish a notice in the <i>Federal Register</i> that announces this change to the GBI EPoC test.</p>
Standards Advisory Group	No comments to consider or questions received.
United States Council for International Business	<p>Questions: What is the scope of the EPoC?</p> <p>CBP Response: The scope of the Global Business Identifier (GBI) Evaluative Proof of Concept (EPoC) is to determine the optimal combination of the (9) digit D-U-N-S®, thirteen (13) digit GLN, and the twenty (20) digit LEI identifiers for manufacturers, shippers, and sellers – for shipments that meet the GBI EPoC test criteria (commodity(ies) + 10 countries of origin), that will enable Customs and Border Protection (CBP) and Partner Government Agencies (PGA) to develop a robust common single identifier for use by CBP, PGAs, and the trade community to better enable the USG to identify and track supply chain roles. The GBI EPoC will also facilitate development of a common trade language, improvement of data quality and efficiency. and the promotion of global and digital fingerprints for trade entities. To meet the scope of the GBI EPoC, CBP has modified the Automated Commercial Environment (ACE) to permit select importers of record and licensed customs brokers to electronically submit the required D-U-N-S®, GLN and LEI entity identifiers, in addition to all of the other required entry data, including the MID, on behalf of their manufacturers, shippers, and sellers that meet the GBI EPoC test criteria.</p> <p>CBP has limited the test to electronic entry (3461) filings for imported merchandise from the following countries of origin: Australia, Canada, China, France, Italy, Mexico, New Zealand, Singapore, United Kingdom, and Vietnam.</p> <p>CBP will announce the details and the scope of the GBI EPoC in an FRN that is anticipated to be published in a future <i>Federal Register Notice</i>.</p> <p>Question: Would participating companies be requested to submit the GBI for their vendors or would the GBI be included as part of an entry submission?</p> <p>CBP Response: Importers of record and licensed customs brokers are asked to</p>

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	<p>submit the GBI identifiers for their vendors. Specifically, importers of record and licensed customs brokers are asked to submit an email to CBP signaling their intent to participate in the GBI EPoC. The email message should contain the GBI identifiers for the importer of record if it is also a manufacturer, shipper or seller, as well as the GBI identifiers for the manufacturer's, shippers, and sellers for whom the importer of record or licensed customs broker will be filing entries that meet the conditions for the GBI EPoC. CBP encourages manufacturers, shippers, and sellers (and distributors, exporters, and packagers), as the owners of the underlying data, to contact Dun & Bradstreet (D&B), GS1 and GLEIF to obtain the required D-U-N-S®, GLN and LEI identifiers. These parties should provide the resulting GBI identifiers to their importer of record or licensed customs broker. If the manufacturer, shipper, or seller experiences difficulty in obtaining any of the GBI identifiers, their importer of record or licensed customs broker should reach out to CBP by email at globalbusinessidentifierin@cbp.dhs.gov for assistance. Further information will be provided in the FRN announcing the test.</p> <p>Question: If a company is submitting the GBI outside of an entry, how exhaustive of a list must they provide? CBP Response: The minimum number of GBIs provided at shipment is three (manufacturer, shipper, seller). GBIs can be provided at enrollment and during cargo release.</p> <p>Question: Do all of our entries go through the EPoC? Or is it just entries related to the identified countries and sectors? CBP Response: The GBI EPoC test is limited to consumption (type 01) entries and informal (type 11) entries – and to entries that the filer or importer identifies, and that meet the GBI EPoC commodity(ies) and country of origin requirements. Therefore, not all entries would have to be filed in the EPoC for a participant.</p> <p>Question: If a member chooses to participate in the EPoC, does their customs broker also have to participate? CBP Response: No, an importer that is a self-filer, or a consignee, that is selected to participate in the GBI EPoC, must inform their licensed customs broker that they have been selected as a participant. On behalf of its client, the broker would file the appropriate GBI data for the manufacturer, shipper, and seller for shipments that meet the GBI EPoC test requirements (commodities + countries of origin). The broker must enroll the GBI numbers prior to using them on the entry process.</p> <p>Question: Do participating companies get to select which entries from particular countries and/or sectors will be part of the EPoC? Members believe this approach would be beneficial. CBP Response: Yes, test participants that have been selected and approved by CBP will be able determine what entries will be providing GBI data.</p> <p>Question: What are the criteria for being selected for EPoC participation? CBP Response: Importers of record and licensed customs brokers seeking to participate in the GBI EPoC test should email the GBI Inbox (globalbusinessidentifierin@cbp.dhs.gov) with the subject heading “Request to Participate in the GBI EPoC Test.” Email messages sent to the GBI Inbox (globalbusinessidentifierin@cbp.dhs.gov) must include the applicant’s filer code and evidence that the applicant has secured, or is in the process of securing, all three GBI entity identifiers (D-U-N-S®, GLN and LEI) for the importer(s) of record, manufacturers, and sellers or suppliers of merchandise that is subject to the</p>

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	<p>conditions of the test (commodity + country of origin). The applicant must also advise that it intends to import commodities that are subject to the GBI EPoC test from the countries that are subject to this GBI EPoC test. CBP will determine an applicant's eligibility to participate in the test. CBP will notify the selected applicants by email of their selection and the starting date of their participation.</p> <p>The criteria for being selected to participate in the EPoC will be detailed in the FRN. The participants must meet the scope of the test and be able to obtain and enroll the three GBI numbers for each mandatory entity role.</p> <p>Question: Does anybody who requests to participate in the EPoC get approved? CBP Response: No, potential participants must meet the scope of the test detailed in the FRN. The participants must meet the scope of the test and be able to obtain and enroll the three GBI numbers for each mandatory entity role.</p> <p>Comments: EPoC has broader impacts. Such as:</p> <ul style="list-style-type: none"> o Impact on ERPs such as SAP o Impact on EDI with Brokers o Impact to the business/vendors/suppliers o Impact to timeliness of documents (if applicable) <p>We believe these impacts, some of which are financial costs and business process impacts, should be taken into consideration as part of the assessment process.</p> <p>CBP Response: CBP understands that there is a financial cost for industry to acquire and maintain unique GBI indicators, but believes that there should be no effect on business processes during the GBI EPoC. CBP plans to take financial costs and the impact of implementing a GBI data element into consideration in the analysis during and after the test. At this early stage, CBP believes there is a cost and time saving factors if the GBI is ultimately implemented based on the current processes that identify entities in the supply chain.</p> <p>Question: How would FDA registration be managed? Would it also be done separately? CBP Response: FDA identifier submissions would continue as they are currently registered and managed under FDA processes. It would be done separately due to the fact that the GBI test does not have any process with the FDA registration.</p> <p>Comment: GBI data element is not currently used in commercial transactions as part of buying, selling, and/or shipping, so CBP should consider this as a new data element for businesses to manage and maintain. Adding this new complex identity indicator that isn't considered commercially relevant to the successful completion of a company's transactions, creates a risk that it will not be consistently determined, applied, or validated. Use of GBI will be potentially be plagued by frequent errors due to misinterpretation or misapplication. CBP Response: CBP intends to test all three identifiers in the GBI EPoC to identify the optimal combination of the entity identifiers to best meet the USG data needs and to create a common language between USG and trade. CBP understands that, if adopted, the resulting new data element (the optimal combination of all three GBI identifiers) may initially be difficult to maintain, but believes that this problem will be alleviated once the optimal combination of the</p>

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	<p>identifiers is determined. In addition, CBP believes that this GBI EPoC test is relevant to the commercial complexity of the current supply chain because it can assist in creating a common language and improving data quality and efficiency. Lastly, and if adopted, use of GBI data can provide entities with a global and digital fingerprint. Use of GBI data would also allow the trade to manage and validate their data, streamline import data collection, and utilize identifiers currently in use with broad sector coverage.</p> <p>Comment: USCIB recommends consolidating or reducing the number of identification systems that can be used.</p> <p>CBP Response: Two possible outcomes of the GBI EPoC include the possible development of a common language between the USG and trade and the improvement of data quality and efficiency. Either of these outcomes could lead to a consolidation or reduction in the number of identification systems used throughout the U.S. Government.</p> <p>Comment: To target high-risk shipments, it is apparent that CBP likely needs to supplement or replace the MID with a unique identifier for foreign entities that is consistent with global standards.</p> <p>CBP Response: One possible outcome of the GBI EPoC may be that the resulting optimal combination of D-U-N-S®, GLN and LEI will result in a unique identifier (new data element) that may supplement or replace the MID. Any such decision, however, would only be made following a thorough evaluation of the GBI EPoC.</p> <p>Comment: USCIB supports any efforts by CBP to ensure any US GBI is consistent with WCO TIN Framework.</p> <p>CBP Response: Noted. CBP recognizes the set of Guidelines, technical standards, and Recommendations that the Trader Identification Number (TIN) Framework that the World Customs Organization WCO has developed.</p> <p>Comment: U.S. and Global Customs Practices: Governments around the world look to U.S. customs regulations as a global best practice. It is important that CBP and the trade remain conscious of the impact of this. In addition, attention should be paid to assessing potential unattended consequences of proposed changes, as changes likely will be implemented by other countries, amplifying any increased trade costs and industry impacts. We support CBP’s efforts to work with customs partners, including globally at the WCO, and recommend continued interagency collaboration and vetting.</p> <p>CBP Response: CBP recognizes its obligations, responsibilities, and standing as world leader in Customs practices. Which is one of the reasons that we are announcing this GBI EPoC, and relying so heavily upon public input and comment throughout the test process. We will continue to work with our global partners and PGAs to ensure that our actions, including those falling under the GBI EPoC, will continue to facilitate global trade best practices.</p> <p>Comment: More Data is Not Always Better Data: Members continue to believe that there must be a thorough review and evaluation of the impact of any new data elements, including identifiers to be provided to CBP or partner government agencies (PGAs). As has been shared in many meetings with USG, including with CBP, each new data element costs companies to maintain, manage and provide. Moreover, members have also indicated that information can and does change, and these are factors which must be taken into consideration. Furthermore, members have requested information on the data and data elements that underpin each of the identifiers being considered as part of the GBI.</p>

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	<p>CBP Response: CBP recognizes the premise that “more data is not always better data,” but notes the need to ensure that the data we do collect is relevant and useful, and that it takes into consideration changes in technology and trade practices. CBP will evaluate whether the GBI EPoC test (1) improves foreign entity data for trade facilitation, risk management, and statistical integrity; (2) ensures U.S. Government access to foreign entity data; (3) institutionalizes a global, managed identification system; (4) implements a cost-effective solution; (5) obtains stakeholder buy-in; and (6) ensures legal compliance across the U.S. Government. At the conclusion of the test, an evaluation will be conducted to assess the efficacy of the information received throughout the course of the GBI EPoC test. CBP will announce the details and the scope of the GBI EPoC in the <i>Federal Register</i>.</p> <p>Comment: Data Sharing: USCIB members are keen to understand data sharing and methods of data sharing even between U.S. government agencies. Our members are very concerned about protection of confidential business information (CBI) and how and to whom it can be securely and appropriately shared. Technical capability exists to share data between governments and U.S. domestic agencies, but practices have not been developed to do so securely.</p> <p>CBP Response: CBP and PGAs practice under the joint MOUs that govern information sharing between agencies and under the requirements of the Privacy Act. The GBP EPoC will permit CBP and certain Partner Government Agencies (PGAs) to determine whether the submission of GBI data via ACE, at the time of entry filing, will enable the enhanced tracing of the supply chains of certain commodities.</p> <p>Comment: Data Security: As various indicators are being assessed, members emphasize the need to review and ensure data security and access as it relates to the respective indicators.</p> <p>CBP Response: All data submitted and entered into ACE may be subject to the Trade Secrets Act (18 U.S.C. 1905) and is considered confidential by CBP, except to the extent as otherwise provided by law. As stated in previous National Customs Automation Program (NCAP) tests, participation in these or any of the previous ACE tests is not confidential and upon a written Freedom of Information Act (FOIA) request, a name(s) of an approved participant(s) will be disclosed by CBP in accordance with 5 U.S.C. 552. CBP understands that the data security and access is a critical point and will take this into consideration in the analysis during and after the test</p> <p>Comment: Data Ownership: Members have stressed questions and seek clarification concerning data ownership, which needs to be considered. For example, members have expressed that with DUNs there are some change of record issues that result in allowing any employee can request change of address or change of contact info. Members have indicated that the control and data ownership is a critical point, which must be taken into consideration in the analysis phase. The general view is these aspects can lead to stability issues for members of the trade.</p> <p>CBP Response: There are three types of data at issue: (1) manufacturer, shipper, and seller GBI identifiers (and optional exporter, distributor, and packager GBI identifiers); (2) identity management company data; and (3) customs trade data.</p> <p>(1) As an initial consideration for participating in the GBI EPoC test, importers of record and licensed customs brokers are reminded that they are responsible for obtaining necessary permissions with respect to providing their manufacturer’s,</p>

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	<p>shippers, and sellers GBI identifiers (and optional exporter, distributor, and packager GBI identifiers) to CBP. Therefore, prior to emailing their intent to participate in the test, as discussed below, importers of record and licensed customs brokers should consult with their manufacturers, shippers, and sellers and ensure that these parties are willing to share their GBI identifiers under the auspices of this GBI EPoC test.</p> <p>(2) As part of the GBI EPoC test, CBP has entered into agreements with D&B, GS1, and GLEIF for limited access to identity management company (IMC) data for the duration of the GBI EPoC test and for testing of CBP’s automated systems. Consistent with the agreements, CBP may access IMC data, combine it with CBP data, and evaluate the data that the GBI EPoC test participants provide (the entity identifier numbers). This data will remain the property of the IMCs. CBP’s access to IMC data will terminate upon completion of the GBI EPoC test.</p> <p>(3) Under the GBI EPoC, participants volunteer to transmit certain unique trade identifiers, and the underlying data that the trade identifiers represent, through ACE. All data submitted and entered into ACE may be subject to the Trade Secrets Act (18 U.S.C. 1905) and is considered confidential by CBP, except to the extent as otherwise provided by law. Participation in the GBI EPoC test, as in any of the previous ACE tests, is not confidential and upon a written Freedom of Information Act (FOIA) request, a name(s) of an approved participant(s) will be disclosed by CBP in accordance with 5 U.S.C. 552. CBP understands that control and data ownership is a critical in each of these instances, and will take this into consideration when evaluating the data during and after the test.</p> <p>Comment: Proprietary Systems: Members have expressed concerns on proprietary systems, noting the lack of data controls and management. Members also believe a GBI should be technology and vendor independent.</p> <p>CBP Response: CBP understands that proprietary systems can be a concern and that control and data ownership is a critical point and will take this into consideration in the analysis during and after the test.</p> <p>Comment: We appreciate CBPs awareness of these concerns and hope that the EPoC and any related analysis tied to GBI will help to deter “data creep”.</p> <p>CBP Response: For GBI EPoC purposes, data creep is the collection of minute details about a trade entity that allow an extensive profile to be developed. The scope of the GBI EPoC test is limited to the scope of the test – the GBI identifiers and the underlying data that each identifier represents. It is not CBP’s intention to collect excess or unnecessary data.</p> <p>Comment: Costs: CBP has discussed GBI at various trade related events (e.g., trade week, COAC public meetings) and has published numerous documents related to GBI (e.g., COAC documents, slick sheet). CBP has mentioned that it would or has been working with the suppliers of the indicators on cost structure, the cost of acquiring and, where necessary, maintaining the indicator access will fall on the trade. In addition, in discussing the concept with members, the general view is that large multinationals may have to carry the cost burden for their suppliers (e.g., MSME’s) participating in the EPoC and/or implementing any finalized U.S. indicator in the future. These financial costs are concerning for the trade, and along with other costs (e.g., who maintains databases) should be taken into consideration as CBP looks to assess which combination of the indicators will be included in the U.S. GBI. The GBI requirement could become an indirect tax on transactions, in particular for SMEs with small volume / value transactions. In</p>

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	<p>addition, members have expressed that systems acquisitions and maintenance costs should be considered as well.</p> <p>CBP Response: CBP understands that there is a financial cost for industry to acquire and maintain these unique indicators. CBP plans to take this into consideration in the analysis during and after the test. CBP believes there are cost and time saving factors if (a GBI data element) was implemented based on the current processes that identify entity(ies) in the supply chain.</p> <p>Comment: Trade benefits: USCIB members are quick to remind government partners that each company has separate processes and systems, and the costs can pose adoption challenges for the trade. Members encourage consideration and development of clear and measurable benefits to the trade.</p> <p>CBP Response: CBP understands that there is a financial cost for industry to acquire and maintain these unique indicators. CBP plans to take the costs associated with acquiring and maintaining the three GBI identifiers into consideration in the analysis during and after the test. CBP believes there are cost and time saving factors if a GBI data element was implemented based on the current processes that identify entity(ies) in the supply chain. CBP anticipates that the trade benefits are to create a common language, improve data quality and efficiency, and provide entities with a global and digital fingerprint. This also allows the trade to manage and validate their data and streamline import data collection and utilize identifiers currently in use with broad sector coverage.</p> <p>Comment: Application: Members have asked for clarification on how GBI and its application would impact such things as anti-dumping and countervailing, bonds, and the issue of licenses and such matters as denied party screening. Any additional information that can be provided to the trade will be greatly appreciated.</p> <p>CBP Response: The test will not impact anti-dumping and countervailing entries, bonds, and the issue of licenses because these are not within the scope of the test, nor will it collect data for goods being exported from the United States. CBP will further announce the details and scope of the GBI EPoC in an FRN anticipated to be published in the <i>Federal Register</i>.</p> <p>Comment: MID: CBP has expressed that the core intent of the GBI is the goal of replacing the Manufacture or Shipper ID (MID). It has been noted that there is little to no data management with MID and it has been stressed that the MID does not provide underlying data. Clarity must be provided to the trade on how, in regulation and practice, the MID will be replaced. Certain sectors (e.g., textile and apparel) are bound by regulation to use the MID. During the EPoC we understand that the trade will continue to be required to maintain and report the MID, so we look forward to future clarity about CBP’s approach to the challenges for all sectors, but specifically those sectors that are highly dependent upon the MID. Members have expressed that the MID is the invoicing party and not necessarily the manufacturer. Related to the ingrained nature of MID, members would like to understand the future plan and approach to complete the 7501, where the MID is the invoicing party except for in the apparel and textile sector. In addition, members also stressed the MID link to quota and more.</p> <p>CBP Response: Invoicing parties, the CBP Form 7501, and quota are outside of the scope of the GBI EPoC. The scope of the GBI EPoC is to determine the optimal combination of the D-U-N-S®, GLN, and LEI identifiers for manufacturers, shippers, and sellers – for shipments that meet the GBI EPoC test criteria (commodity(ies) + 10 countries of origin), that will enable Customs and Border Protection (CBP) and Partner Government Agencies (PGA) to develop a</p>

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	<p>robust common single identifier for use by CBP, PGAs, and the trade community to better enable the USG to identify and track supply chain roles. To meet the scope of the GBI EPoC, CBP has modified the Automated Commercial Environment (ACE) to permit select importers of record and licensed customs brokers to electronically submit the required entity identifiers, in addition to all of the other required entry data, including the MID, on behalf of their manufacturers, shippers, and sellers that meet the GBI EPoC test criteria.</p> <p>CBP is currently developing capability for an AE (7501) filing that is certified for Cargo Release (SE) and anticipates this will be ready during the test. Once it is determined that this capability is ready CBP will update the Entry Summary CATAIR accordingly to accept GBI data and publish a Federal Register notice and engage in rulemaking if necessary to modify the scope of the GBI EPOC.</p> <p>Comment: LEI: This is a financial indicator, which is begin considered for incorporation to WCO TIN. The CBP EPoC will look to assess this indicator and its usefulness in the customs space.</p> <p>CBP Response: The LEI is one of the three GBI identifiers that CBP will evaluate under the GBI EPoC. The World Customs Organization (WCO) Trader Identification Number (TIN) is outside of the scope of the GBI EPoC.</p> <p>Comment: GLN: This is a private product-identifier. GSI, where the GLN resides, is linked to UPC bar codes. General assumptions on GS1 product use, including the GLN, have been made. From the materials on GBI, it is unclear if CBP has partnered with the GS1 U.S. and/or another national federation member in a 3rd country. We understand that the data elements of GLN may differ based on the national federation associated. With respect to GLN, members have expressed that this looks to be retail and/or finished goods sector focused. Moreover, there could be use of the indicator with, for example, finished goods, but maybe not intermediary parties.</p> <p>CBP Response: CBP has partnered with GS1 U.S. and GS1 U.S. is partnering with their Member Organizations in the countries that are identified in the EPoC. CBP has also partnered with Global Legal Entity Identifier Foundation and Dun & Bradstreet for the GBI initiative. CBP is aware of the sector specific properties of the three GBIs under consideration and is undertaking this EPOC to identify the proper combination of GBIs to ensure proper coverage across sectors.</p> <p>Comment: DUNS: Dun and Bradstreet (D and B) provides DUNS numbers, which are used by businesses and business systems around the world. USCIB member companies have expressed challenges related to DUNS numbers, who can manipulate them, lessons learned with the U.S. Food and Drug Administration (FDA) FSMA use of DUNS numbers, concerns around the establishment and ownership of any database, among other aspects which should be taken into consideration in the evaluation of the respective identifier that when combined could meet the criteria for a U.S. established GBI. Members have shared the following example: DUNS allow creation of a unique number per location (with limited change management) and with likely multiple DUNS per location. The experience with FDA was that they FDA pushed to have a DUNS for each plant but relented during the process and ultimately went to allowing a single DUNS number for FDA importer to be decided by the importer. (e.g., corporate HQ DUNS number). In addition, members have raised questions around who “owns” the DUNS number and the determination of “who” owns the number.</p> <p>CBP Response: As part of the GBI EPoC test, CBP has entered into agreements</p>

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	<p>with D&B, GS1, and GLEIF for limited access to identity management company (IMC) data for the duration of the GBI EPoC test and for testing of CBP’s automated systems. Consistent with the agreements, CBP may access IMC data, combine it with CBP data, and evaluate the data that the GBI EPoC test participants provide (the entity identifier numbers). This data will remain the property of the IMCs,</p>
<p>E-Merchants Trade Council, Inc. (EMTC)</p>	<p>Question: Does CBP intend to test the LEI, GLN and DUNS in the Evaluative Proof of Concept (EPoC) in order to select one of them as the unique identifier as the GBI or does CBP intend to test using all three identifiers to use as GBIs? CBP Response: CBP intends to test all three identifiers in the EPoC to identify the optimal combination of the entity identifiers to best meet the USG data needs and to create a common language between USG and trade. This is relevant to the commercial complexity of the current supply chain because this can create a common language, improve data quality and efficiency and provides entities with a global and digital fingerprint. This also allows the trade to manage and validate their data and streamline import data collection and utilize identifiers currently in use with broad sector coverage.</p> <p>Question: What shipments will GBI apply to – all type of shipments, all modes of transportation and service providers? CBP Response: The GBI EPoC test applies to all type of shipments and all modes of transportation – provided that all of the criteria for the GBI EPoC test are met - Electronic entries must be submitted via ABI/ACE (CBP Form 3461), which has been modified to accept the three GBI entity identifiers (D-U-N-S®, GLN and LEI) for manufacturers, shippers, and sellers – and filed by an importer of record or licensed customs broker. An importer of record that is a self-filer may also submit GBI identifiers for its qualifying entries. The entries must include a limited number of commodities from a limited number of countries of origin, as established under the GBI EPoC. CBP has limited the test to electronic entry (CBP Form 3461 – type 01 and type 11) filings for imported merchandise from the following countries of origin: Australia, Canada, China, France, Italy, Mexico, New Zealand, Singapore, United Kingdom, and Vietnam.</p> <p>CBP will announce the details and the scope of the GBI EPoC in an FRN that will be published in the <i>Federal Register</i>.</p> <p>Comment: There is concern that the MSME e-sellers that EMTC represents do not have the resources to pay for license fees to obtain an LEI, GLN and/or DUNS. Most of these entities are small businesses who don’t have the same resources as large entities. CBP Response: Although CBP does not believe that many micro, small, medium enterprises (MSME) will volunteer to participate in the GBI EPoC, because most MSME’s have a primary focus on e-commerce. Nonetheless, CBP recognizes that there are costs associated with acquiring and maintaining the three GBI identifiers.</p> <p>Question: The LEI and DUNS numbers both address financial stability and ownership structures of the identified entity. For example, does the ownership of companies serve as the indicator of risk of fraudulent activities when the majority of legitimate shipments are unrelated to parties? CBP Response: At this time CBP is unable to determine if this type of indicator serves as a risk. CBP intends to test all three identifiers in the EPoC to identify the optimal combination of the entity identifiers to best meet the USG data needs and to create a common language between USG and trade. This is relevant to the</p>

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	<p>commercial complexity of the current supply chain because this can create a common language, improve data quality and efficiency and provides entities with a global and digital fingerprint.</p> <p>Comment: Concern that if the final GBI is a combination of elements from all three identifiers there is room for error. They are also concerned that if you need to obtain these three numbers every time there is a change in one of the supply chain participants, it will create backlog in deliveries.</p> <p>CBP Response: During the EPOC, errors in GBI submissions will not affect entry processing.</p> <p>Comment: Concern about government imposing a private sector standard for regulatory purposes. The commentor recommends the government set policy goals for the identification of participants in the supply chain and enables the private sector to develop the means to implement those goals.</p> <p>CBP Response: CBP is implementing the EPOC to determine if a GBI will improve supply chain knowledge and mitigate risk.</p> <p>Comment: If the concern the GBI is intended to remedy is identifying actors involved in money laundering and IPR violations, the product is a key indicator of fraudulent activity, but the product itself is not addressed by the GBI.</p> <p>CBP Response: CBP is implementing the EPOC to determine if a GBI will improve supply chain knowledge and mitigate risk</p> <p>Questions: Most Micro, Small, Medium Enterprises (MSME) (entities EMTC represents) do not have trade management systems, or knowledge to even know what these unique identifier numbers are or how to get them.</p> <ul style="list-style-type: none"> • How would you get these millions of companies to comply? • How would these entities have bandwidth to meet this demand? • How will e-commerce benefit from a disrupted supply chain? <p>CBP Response: There is no existing requirement in the CBP regulations for importing parties to acquire the three GBI identifiers. CBP is only asking those parties that wish to participate in the GBI EPoC test to acquire the GBI identifiers. If a GBI solution is ultimately adopted, CBP will work with the trade community to facilitate the acquisition of any required GBI identifiers.</p> <p>Comment: Because GS1's Global Location Number is designed to work with other complementary features, such as the Company Prefix and UPC, we do not believe that using one element as a GBI is appropriate.</p> <p>CBP Response: For purposes of the GBI EPoC test, CBP is using three GBI Identifiers to determine which combination is appropriate.</p> <p>Comment: Micro, small and medium sized enterprises (E-Merchants or MSME) will find the cost to participate prohibitive. The pilot envisions a stable foreign manufacturing entity or related party as is most common with large importers. MSME's include re-sellers that have a higher probability of frequent changes in sourcing.</p> <p>CBP Response: CBP agrees. It is unlikely that MSME's, which primarily focus on e-commerce, will participate in the GBI EPoC test. E-commerce shipments are generally entered under type 86, for Section 321 shipments, which can enter the country without a formal entry and free of duty and tax as long as requirements are met. CBP has limited the GBI EPoC test to entry type 01 (consumption) and type 11 (informal) filings for imported merchandise. The test is further limited to</p>

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	<p>electronic submissions via ABI/ACE (3461).</p> <p>Comment: Concerned that MSME's who make up a significant portion of e-commerce are precluded from participation due to cost barriers and the results of the pilot will be skewed toward larger trade parties and traditional transaction methods which are being overtaken in volume by e-commerce.</p> <p>CBP Response: CBP agrees. It is unlikely that MSME with a primary focus on e-commerce will participate in the GBI EPoC test. E-commerce shipments are generally entered under type 86, for Section 321 shipments, which can enter the country without a formal entry and free of duty and tax as long as requirements are met. CBP has limited the GBI EPoC test to entry type 01 (consumption) and type 11 (informal) filings for imported merchandise. The test is further limited to electronic submissions via ABI/ACE (3461). However, MSME's are not precluded from participating in the GBI EPoC test, provided that they meet the criteria for the GBI EPoC. This includes, but is not limited to: (1) securing the required three GBI entity identifiers and (2) authorizing their customs broker(s) to file their entries that meet the commodity and country of origin requirements under type 01 or type 11.</p> <p>Comment: There is a lack of clarity on how the EPoC will benefit e-commerce shipments.</p> <p>CBP Response: The GBI EPoC is not targeted to E-Commerce shipments. E-commerce shipments are generally entered under entry type 86, for Section 321 shipments, which can enter the country without a formal entry and free of duty and tax as long as requirements are met. CBP has limited the GBI EPoC test to entry type 01 (consumption) and type 11 (informal) filings for imported merchandise. The test is further limited to electronic submissions via ABI/ACE (3461). CBP will publish additional information about the GBI EPoC in the <i>Federal Register</i>.</p> <p>Comment: Single Window is "exhibit A" for proof that providing more data for federal agencies has not resulted in the efficiencies and compliance benefits that were promised.</p> <p>CBP Response: This comment is not related to the GBI EPOC, but CBP takes it under advisement.</p> <p>Question: Would the GBI apply to all types of shipments?</p> <p>CBP Response: No. CBP has limited the test to entry type 01 and 11 (3461) filings for imported merchandise. No, CBP will announce the details and the scope of the GBI EPoC in an FRN that will be published in the <i>Federal Register</i>.</p> <p>Question: Would the GBI apply to all modes of transportation and service providers?</p> <p>CBP Response: Yes, CBP will announce the details and the scope of the GBI EPoC in an FRN that will be published in the <i>Federal Register</i>.</p> <p>Question: Does GBI apply at a product level which is at the center of concern for IPR and money laundering activities? If yes, why not evaluate alternative existing numbers or certifications such as C-TPAT?</p> <p>CBP Response: Although the GBI EPoC test focuses on specific subheadings</p>

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	<p>under the Harmonized Tariff Schedule of the United States, it does not consider commodities at a product level (certain alcohol, toys, seafood, personal items, and medical devices). Intellectual Property Rights (IPR) violations and money laundering activities are outside of the scope of the GBI EPoC test. CBP will announce the details and the scope of the GBI EPoC in an FRN that will be published <i>the Federal Register</i>.</p> <p>Comment: The proposal is a one-sided government proposal.</p> <p>CBP Response: CBP disagrees. The GBI EPoC will benefit the government and the private sector through development of a robust common single identifier for use by CBP, PGAs, and the trade community and through the development of a common trade language.</p> <p>Question: What is the value and what are the benefits to the private sector?</p> <p>CBP Response: Private sector companies participating in the GBI EPoC test will be on the forefront of securing GBI entity identifiers and entering that data, or having it entered, via ABI in ACE. Test participants will be able to manage and validate their data, streamline import data collection, and utilize identifiers currently in use with broad sector coverage. The underlying data and GBI entity identifiers that participating companies provide to CBP, and the feedback that they provide to CBP, will assist CBP and PGAs in ensuring a robust GBI EPoC test. Ultimately, if the Federal Government establishes a requirement for the transmission of GBI identifiers for entries, the trade will benefit from the creation of a common trade language, improvement of data quality and efficiency, and establishment of robust global and digital fingerprints. Use of GBI identifiers and data will allow the trade to better manage and validate their data, streamline import data collection, and utilize identifiers currently in use with broad sector coverage.</p> <p>Question: Will more data enable better risk assessment? We didn't see this with Single Window.</p> <p>CBP Response: CBP believes so. Having access to more, and better-quality data, will enable CBP and PGAs better manage our limited resources, while facing increased trade volume, and faster processing times. CBP's receipt of, and vetting of, better data, limits the need for hands-on shipment processing. That is the beauty of risk assessment. The GBI EPoC test may prove to be a more far-reaching, interagency initiative, one that keeps with the vision and actualized promise of the "Single Window," by providing better visibility into the supply chain for CBP and PGAs.</p> <p>Comment: More data makes it less compliant as data requirements put companies in a position of the data chase. In addition to cost, it creates a false sense of compliance by information volume.</p> <p>CBP Response: CBP understands that there is a financial cost for industry to acquire and maintain the three unique GBI indicators. CBP will consider these costs when evaluating the GBI data during and after the test. CBP believes, however, that if a GBI data element is implemented, that there are costs and time saving factors based on the current processes that identify entities in the supply chain. CBP anticipates that the trade benefits are to create a common language, improve data quality and efficiency, and provide entities with a global and digital fingerprint. This also allows the trade to manage and validate their data and streamline import data collection and utilize identifiers currently in use with broad sector coverage.</p> <p>Comment: The solution to GBI is Customs Modernization. We recommend that</p>

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	<p>CBP look across all taxes where KYC or legal identifiers may be coherent for Customs. GBI requires a global solution.</p> <p>CBP Response: CBP agrees. The GBI EPoC test was developed to better enable the U.S. Government to identify and track supply chain roles, as well the global locations and legal ownership of businesses. The GBI identifiers present a global solution; one that represents trade modernization at its finest. The GBI EPoC test will assist CBP in fulfilling trade modernization efforts by assisting the agency in verifying the roles, functions and responsibilities that various entities play in a given participants' importation of merchandise.</p> <p>Comment: Recommendation is to ensure there is alignment for the legal entity identifier across all the different uses that could be envisaged for a "GBI" not just in Customs.</p> <p>CBP Response: CBP has worked with Partner Government Agencies (PGAs), the Customs Cooperation Advisory Committee (COAC), and the Border Interagency Executive Council (BIEC), during the test development process. The test will permit CBP and certain PGAs to determine whether the submission of GBI data (three entity identifiers) via ACE, at the time of entry filing, will enable the enhanced tracing of the supply chains of certain commodities. Some of the commodities that fall within the scope of the GBI EPoC test, are regulated by PGAs. For example, seafood (FDA), certain toys (CPSC), and certain medical devices (FDA). The GBI EPoC will enable CBP and PGAs to evaluate the feasibility and usefulness of adding the GBI data to the regular entry data. CBP and PGAs will test all three identifiers to identify the optimal combination of the entity identifiers to best meet the USG data needs and to create a common language between USG and trade. This is relevant to the commercial complexity of the current supply chain because this can create a common language, improve data quality and efficiency and provides entities with a global and digital fingerprint. This also allows the trade to manage and validate their data and streamline import data collection and utilize identifiers currently in use with broad sector coverage.</p> <p>Comment: Acknowledging the Know Your Customer requirements for Anti-Money Laundering, the OECD Common Report Standard and Platform Reporting Requirements for E-Commerce. It would seem better for these to be maintained by national administrations who make the information publicly available so that APIs can be developed to extract the data.</p> <p>CBP Response: We disagree. CBP is a U.S. Government entity with a proven track record of freely sharing information with the public under its informed compliance and reasonable care initiatives. CBP will announce the GBI EPoC in the <i>Federal Register</i>. Once the GBI EPoC commences, CBP will further promote the test through webinars and publicly available documentation.</p> <p>Comment: CBP is adding more data elements and increasing complexity.</p> <p>CBP Response: CBP disagrees. CBP believes that evaluation of the GBI EPoC test, will show that acquiring and maintaining the GBI identifiers will prove to be less complex, more accurate, and more reliable than the current process for deriving the MID. A purpose of doing this as a test is to ensure that CBP does not needlessly add complexity.</p> <p>Question: How does GBI simplify trade?</p> <p>CBP Response: CBP believes that evaluation of the GBI EPoC test data, will support a determination that acquiring and maintaining the GBI identifiers will simplify the trade process through the trade's ease of securing unique GBI</p>

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	<p>identifiers, the increased accuracy of the GBI entity identifiers – as opposed to deriving the MID, and CBP and PGAs increased ability to access more accurate and better trade data.</p> <p>Question: How will CBP manage GBIs for foreign entities? CBP Response: CBP is not managing GBIs. It is partnering with three global organizations who create and manage the entity identifiers that comprise the GBI.</p> <p>Question: What is the impact of GBI at the border? CBP Response: GBI shipments will be subject to the normal custom importation procedures. Shipments will not be held up for failure to file or erroneously filing GBI data. However, GBI EPoC test participants will still be expected to follow all other customs regulations and requirements associated with the entry process.</p> <p>Question: How will GBI be used to assess risk and ensure the process is effective in producing a consistent unique and accurate identifier? CBP Response: CBP will announce the details and the scope of the GBI EPoC in an FRN that will be published in the <i>Federal Register</i>.</p> <p>Question: How will CBP educate foreign suppliers on GBI? CBP Response: CBP has partnered with GS1 U.S., the Global Legal Entity Identifier Foundation and Dun & Bradstreet for the GBI initiative. Each organization is currently working with their foreign member organizations, in country affiliates and their network of trusted partners to work with the foreign suppliers located in the countries that are identified in the pilot.</p> <p>Question: Does the GBI apply to manifest clearance? If yes, is it a single number for the manifest? CBP Response: No, GBI does not apply to manifest clearance process it will be done on the cargo release entry process. CBP will further announce the details and the scope of the GBI EPoC in an FRN that will be published in the <i>Federal Register</i>.</p> <p>Comment: Fundamentally, CBP needs to examine the GBI proposal against an operational process mapping prior to undertaking a costly pilot program to determine if this additional data will enable the agency to identify fraud and bad actors. CBP Response: No response required at this time due to this comment not being specific rather it is a consideration to consider after/during the test assessment.</p> <p>Comment: CBP needs to consider the private sector POV. It is critical to identify specific entities in the supply chain to assess risk. If the goal of the GBI is to replace the MID, that data element has proven to be insufficient risk as a risk assessment element. The purpose of this FRN is to find a replacement for the MID. The proposed GBI has the same inherent weakness as the MID data accuracy and understanding. CBP is proposing the creation of a new identifier rather than leveraging existing standardized, recognized, globally available identifiers such as those in OECD. We believe that the proposed collection for more information and this EPoC won't achieve CBP's policy goal to determine a single unique identifier, which be used in risk assessment. CBP Response: The purpose of the EPOC is to assess all three identifiers in the GBI EPoC test to identify the optimal combination of the entity identifiers to best meet the USG data needs and to create a common language between USG and trade. This is relevant to the commercial complexity of the current supply chain</p>

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