

March 5, 2009

Ms. Sandra Bell  
Executive Director  
Office of Regulations and Rulings  
U.S. Customs and Border Protection  
Department of Homeland Security  
1300 Pennsylvania Avenue, NW, Room 722,  
Washington, DC, 20229

Dear Ms. Bell:

We are writing this letter on behalf of the undersigned associations to request an extension of the June 1, 2009, deadline for submitting comments on the 10+2 structured review. The current deadline does not provide sufficient time for companies, particularly small and medium enterprises, to collect the information necessary to comment on compliance difficulties, the flexibilities, the impact on national and economic security, and supply chain delays.

The interim final rule did not go into effect until January 26, 2009, and since that date our members have made good faith efforts to implement and comply with the new rule. The interim final rule created a structured review for industry to provide data to analyze compliance costs for various industry segments, the impact of the flexibilities, the barriers to submitting the data 24 hours prior to lading, and the benefits of collecting these data. Under the current deadline, comments will only include data on the first three months of implementation, which will not provide accurate or conclusive data on which to base future policy decisions.

Companies are still developing and implementing their new operating systems, changing supply chain operations, and adapting new best practices. While industry is working diligently to implement the new systems and operations, these changes take several months to put into operation. Only after these changes are in place can industry begin to fully assess the impact of the new rule. Additionally, comments submitted under the current deadline will not include information on how compliance with 10+2 is affected by seasonal demand changes or increases and decreases in trade --both of which are critical to understanding the impact of 10+2 on industry and the government.

We ask that the comment period be extended to afford industry sufficient time to implement the rule, collect data, evaluate the impact, and formulate meaningful comments that will be beneficial to the government's review of the flexibilities.

We respectfully request the comment period be extended until November 1, 2009. In these uncertain economic times, it is particularly important to fully evaluate the impact of the 10+2 regulation on industry, our national security, and the economy. The Congress, the previous Administration, and industry voiced great concern in 2008 that the impact of the rule could be significant and unduly burdensome on legitimate trade. An extension to November 1, 2009, would provide industry with a greater opportunity to evaluate the impact of the 10+2 rule and to draw more precise conclusions. The new deadline would also provide the government with time to evaluate the comments submitted by industry before the interim rule becomes final on January 26, 2010.

We look forward to working with the Administration to improve our collective national and economic security, and hope that our request will be honored.

Thank you,

Aerospace Industries Association  
Alliance of Automobile Manufacturers  
American Apparel & Footwear Association  
AMT-The Association For Manufacturing Technology  
Association of International Automobile Manufacturers, Inc.  
Automotive Aftermarket Industry Association  
Automotive Trade Policy Council  
Coalition of New England Companies for Trade  
Consumer Electronics Association  
Distilled Spirits Council of the United States  
Emergency Committee for American Trade  
Foreign Trade Association  
INDA, Association of the Nonwoven Fabrics Industry  
Independent Lubricant Manufacturers Association  
International Housewares Association  
Motor & Equipment Manufacturers Association  
National Association of Foreign-Trade Zones  
National Association of Manufacturers  
National Marine Manufacturers Association  
RISE (Responsible Industry for a Sound Environment)  
Salt Institute  
Specialty Equipment Market Association  
Synthetic Organic Chemical Manufacturers Association  
TechAmerica (ITAA and AeA merged to form TechAmerica)  
Telecommunications Industry Association  
The Adhesive and Sealant Council, Inc.  
Travel Goods Association  
Wine & Spirits Wholesalers of America, Inc.  
U.S. Business Alliance for Customs Modernization  
U.S. Chamber of Commerce