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Via e-mail

Sara Mayes, President
Gemini Shippers Association
137 West 25th Street
Third Floor
New York, NY 10001

RE: Temporary Suspension of FCC Form 740 Effective July 2016

Dear Sara:

As you may recall from last week's Update, the Federal Communications Commission ("FCC") recently published a Federal Register notice advising of the temporary suspension of the *FCC Form 740*. As more fully detailed below, this suspension will not start until July 2016.

Briefly, as currently contemplated, the Automated Commercial Environment ("ACE") will be implemented by CBP as a mandatory filing platform in July 2016. However, at this point in time *ACE* will not have the capability to accept electronic filing of the *FCC Form 740*, which would require the paper submission of the Form.

Accordingly, the *FCC* has decided to temporarily waive the requirements for filing the *FCC 740* form for a 6 month period, which will commence July 1, 2016.

Unfortunately, because of bureaucratic rules regarding Federal Register notices, the first page of the Notice shows an effective date of December 7, 2015. This may cause confusion among some in the importing community, as well as their brokers and logistic providers who may rely on the Federal Register notice and conclude that the suspension of the submission requirement starts effective December 7, 2015.

I have discussed the date issue with the *FCC* representative, who has confirmed the start date of the temporary suspension is **July 2016**, NOT December 2015.

We recommend that affected importers reach out to their brokers to be sure that they do not *turn off the FCC switch* prematurely and that they retain the ability for to transmit the *FCC* data electronically until July of next year.

If you have any questions, please do not hesitate to contact us.

Sincerely,
TOMPKINS & DAVIDSON, LLP



Barbara Y. Wierbicki