

[View in browser](#)

Tariff Management of the IEEPA duties subject to refund

To our most valued customers,

We know that these times as it relates to tariffs have been very unsettling and, in some cases, very confusing. The current administration continues to assault most imports with changing tariff regimes, new rules and all on a Friday evening to be effective on Monday morning. To say the least, it's been challenging for all!

Despite the current tariff chaos, we want you to know that American Shipping Company (ASC) has teams of people focused on nothing but these changes and how they affect our customers' supply chains.

The above said, by utilizing our flagship logistics reporting tools in AmeriSystems, which have been designed and "tweaked" to best accommodate detailed entry tracking, both our clients and our own staff have the best possible tools to support what is required to effectively manage this changing tariff environment.

Supplemented with years of experience within our teams, we wanted our clients to know that we have your back on these IEEPA duties! So, what does that mean?

ASC is tracking all liquidations of all entries we file. We understand clearly that US Customs (CBP) is in the process of designing and building an IEEPA refund claim system (Consolidated Administration and Processing of Entries or C.A.P.E.) to effectively manage the large amount of refunds that CBP has been ordered to refund. However, as we know CBP's actions are all subject to a regulatory

environment that they must operate within. However, there is some question as to how CBP will be able to refund IEEPA duties on entries that have been finalized or beyond 180 days from the official liquidation date. These are a class of entries that CBP no longer has the regulatory tools to simply reliquidate for a refund as a result of the regulatory constraints CBP has. These entries will not be refunded in the first round of refunds to be processed via the C.A.P.E. system.

So, while we have been encouraging our clients to file a lawsuit in the Court of International Trade (CIT) to protect your rights to these IEEPA refunds (liquidated or not!), we feel a good strategy to further protect our clients' rights to these refunds is to file a protest with CBP on all entries approximately 30 days prior to the expiration of the 180-day period that allows for protests to be filed. Without further addressing this class of entries, there is no clear regulatory path "as of today" to ensure these refunds will be issued if they pass 180 days from liquidation. Thus, we recommend that a protest be filed prior to liquidation to protect your rights to these refunds and keep our clients' within legal boundaries. To this point, we wanted our clients to know that our team will be reaching out to all clients as their entries approach this period to learn if this type of strategy is one you wish to adopt. If so, we stand ready to execute and support. If you do not wish to wait for our reach out, please do email us at compliance@shipamerican.com and we will place you on the rapid response list to get your entries covered!

Additionally, we also want our clients to know that once the C.A.P.E. system is released to the public and we receive the rules of engagement by Customs, we are happy to work with all clients to insure that we provide everything and anything necessary in order to finalize a claim to secure your refunds. And while we are not 100% sure whether we, as your broker, can file the claim or each importer must file via the ACE portal on their own – we are here to support you regardless.

In line with the above, ASC has already designed and released reporting that will detail all IEEPA duties on a per-entry basis which "should" be what will be required by CBP in order to file a claim within the C.A.P.E portal. Of course, because nothing is final just yet, all is subject to CBP's final instructions, which are still pending. Next update on the C.A.P.E. system and all the nuances surrounding these IEEPA refunds by CBP is scheduled for April 14th. As always, we will keep you well informed.

And, last but not least, we encourage our clientele to also track all shipments (entries) and liquidations by utilizing our Entry Liquidation reports, built within AmeriReports. While we are tracking internally, we want our clients doing the same to ensure that we are all working collaboratively in coordination so nothing gets missed.

We thank you all for our partnership as we navigate through these chapter times!

[View Our Latest Updates](#)

Get a Quote

American Shipping Company, 250 Moonachie Road, Moonachie, NJ 07074, USA

[Unsubscribe](#) [Manage preferences](#)