

THE CARMICHAEL COMPASS

"WHEN THE TIDES OF TRADE SHIFT, WE'RE YOUR COMPASS."

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IEEPA Refund Process

CBP has reported to the Court of International Trade (CIT) its progress on its development of ACE functionality for the processing of IEEPA refunds ordered by the courts. This new program will be called the Consolidated Administration and Processing of Entries (CAPE). CAPE will have a portal that will be the single-entry point for importers and brokers to file refund requests using a declaration format that will be published by CBP.

The program will be built around four components:

- The Claim Portal
- The Mass Processing of the Data
- The Review for Liquidation/Reliquidation
- The Electronic Issuance of Refunds

CBP has estimated that the Claim Portal is already 70% complete. In its first phase, CBP expects to be able to process most formal and informal entries with IEEPA duties that have been filed, excluding unliquidated entries subject to antidumping/countervailing duties, entries with liquidation statuses that are suspended, extended, or under review, and other entry types with additional complexities. CBP anticipates that the work on more difficult aspects of the program to be completed in the coming weeks. Based on CBP's report, the CIT has extended the suspension of its order to immediately issue refunds.

If you have not yet taken the time to set up your ACE Portal account to be able to receive electronic refunds, please make sure you do so before CBP has finished development on this new CAPE program so that there are no delays in payment of any refunds due. If you find yourself in need assistance, please reach out to your Carmichael representative and we will be happy to assist you.

USTR Opens 301 Investigation on 12 Countries

The Office of the U.S. Trade Representative (USTR) has opened a 301 investigation into 16 countries

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Additional 301 Investigation on Forced Labor Opened for 60 Countries

regarding structural excess capacity and production in certain manufacturing sectors. The USTR is looking at how excess production can lead to persistent trade surpluses. The 16 countries include China, Cambodia, the European Union, Bangladesh, India, Indonesia, Japan, Malaysia, Mexico, Norway, S. Korea, Singapore, Switzerland, Taiwan, and Thailand.

A fact sheet on the investigation can be found the USTR's [website](#).

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The USTR has also opened a separate 301 Investigation regarding Forced Labor enforcement, targeting 60 countries. Although many countries with reciprocal agreements have made progress in forced labor enforcement, there are questions about whether the programs are working. Forced labor creates an unfair competitive advantage with lower labor costs. These investigations will focus on 60 top U.S. trading partners, collectively covering more than 99% of U.S. imports in 2024. An explanation of this investigation and the list of 60 countries can be found in a fact sheet on the USTR's [website](#).



Reminder: Electronic Refunds, Are you Ready?

With the implementation of Executive Order# [14247](#), the U.S. Treasury no longer issues paper checks for refunds issued by U.S. Customs and Border Protection (CBP). Instead, CBP has transitioned to Electronic Funds Transfer (EFT) via the Automated Clearing House (ACH) system.

However, despite these actions becoming effective on February 6, 2026, few importers have taken the necessary steps needed to secure their access to refunds remains uninterrupted. According to Brandon Lord, director of trade programs at CBP, only about 21,000 out of the nearly 330,000 importers who have paid IEEPA duties have signed up for the electronic refunds system.

To ensure our customers are as prepared as possible and receive CBP refunds via ACH, we recommend the following:

- Verify that your company has an Importer Account in the ACE Portal.
- Add your company's ACH bank account information to the ACH Refund Authorization tab in the Importer Account within CBP's ACE Secure Data Portal.

Instructions for adding this information may be found in CBP's guidance document titled "[ACH Bank Information for Electronic Refunds](#)." Additional help can be found on CBP's [one page fact sheet](#) on electronic refunds. You may also visit our [January 29](#) installment of the Carmichael Compass for additional information and resources regarding electronic refunds.

Please note that only Importers with a U.S. bank account may receive ACH refunds. If your company does not have a U.S. bank account, you will continue receiving refunds via your customs broker or by check until further notice from CBP.

If you do not have your own Importer Account in the ACE Portal or need further assistance in getting set up for electronic refunds, please contact your Carmichael representative.

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