



AES Newsletter



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In This Issue

Shipment Manager: More Options to Manage and Retrieve Electronic Export Information (EEI) 1

Proposed Changes to the Foreign Trade Regulations 3

New Expanded Data Series 3

Looking to Appraise Trading Trends or Market Outlook? 4

When Should I Check the "Related Parties" Indicator? 5

Government Agencies Reduce Export Compliance Burden by Consolidating Party Screening Lists 7

Fatal Error Message 004: Filer/Transmitter Not Authorized to Send 8

Understanding the Foreign Trade Regulations..... 9

Contact Information 10

Shipment Reference Number	Status	AES ITIN	Date of Filing	Date of Export
002-A	Cancelled	X20101208000105	12/08/2010	12/10/2010
01062011	Accepted	X20110106000029	01/06/2011	01/06/2011
013111B	Rejected/Fatal		01/31/2011	01/31/2011
01312011A	Rejected/Fatal		01/31/2011	01/31/2011
1-11-2011	Rejected/Fatal		01/11/2011	01/11/2011
1-11-2011A	Accepted	X201101110000242	01/11/2011	01/11/2011
1-11-2011B	Accepted/Verify	X201101110000246	01/11/2011	01/11/2011
1-18-2011	Accepted/Verify	X20110118000032	01/18/2011	01/18/2011

Shipment Manager: More Options to Manage and Retrieve Electronic Export Information (EEI)

by Eric Gauthier, Automated Export System Branch (AESB)

Filers who submit their EEI through the AESDirect program have a new option to retrieve their shipments. Earlier this year, the "Shipment Manager" was released as an enhancement to the AESDirect program. This new feature provides AESDirect program filers a set of tools based on common criteria to search and track their submitted export information.

With the new feature, filers are now able to:

- **Search for submitted EEI by the filing date or date of export.**

Filers can search for all EEI filed through their AESDirect accounts, based on the filing or export date. The filing or export date selected can be: today, yesterday, within the last 7 days, or a specified date range. The searches can be up to 5 years in the past.

continued on page 2

Shipping Manager: More Options to Manage and Retrieve Electronic Export Information (EEI)—Con.

■ **Filter the search using one or more of the following:**

- Shipment Reference Number (SRN)
- Automated Export System (AES) Internal Transaction Number (ITN)
- U.S. Principal Party in Interest (USPPI) Name or ID Number
- Ultimate Consignee Company Name
- Country of Destination
- Port of Export
- Carrier SCAC/IATA
- License Type
- Username

Previously, *AESDirect* allowed filers to search only by the ITN or a combination of the USPPI ID Number and SRN. Although this option is still available, often filers are unable to recall those criteria. The Shipment Manager now provides additional criteria to search for submitted EEI.

■ **Save frequently used searches.**

This feature allows filers to create a saved search with the criteria that they may frequently use, saving time and effort. For example, if the filer wants to check all of the weekly shipments filed with Mexico as the ultimate destination using air carrier ABC Inc., he or she can save that search for future use.

■ **Filter EEI by current AES status.**

Filers can also filter their search output by selecting one of four categories under EEI status: Accepted, Rejected, Cancelled, or Submitted. The filer can also filter to see which (if any) of their Accepted EEI have Verify Messages, Compliance Alerts, or Informational Messages. Filers no longer have to wait to receive their Fatal Error Report or AES Compliance Report to see the list of unresolved or unverified EEIs, thus allowing companies to address compliance issues sooner than before.

■ **Manage EEI with just one click.**

Once a filer identifies the EEI to be researched, a new menu allows the following actions: Retrieve, Delete (if not previously deleted), Print, or Use the EEI as a Template. Each retrieved SRN will have these options, reducing the number of steps required.

■ **Export to a spreadsheet file.**

If filers want to go deeper on search results, they can now save the results as a spreadsheet file for the company's internal auditing purposes. Prior to the launch of the Shipment Manager, this was a frequently requested feature from EEI filers. Many companies have expressed interest in improving the tracking of their submitted shipments, sharing information with their employees, and conducting internal audits of their reported exports.

If you use *AESDirect* or *AESpCLink* to file your EEI, we invite you to start using our new Shipment Manager feature. To get started, log in to <www.aesdirect.gov> and under the Main Menu, select Shipment Manager.

For more information and tips on how to use the Shipment Manager, please visit the Foreign Trade Division's (FTD) Global Reach Blog at <<http://blogs.census.gov/globalreach/>>. You can also talk with an AES client representative at the FTD Call Center at 800-549-0595, Option 1 or send an e-mail to <askaes@census.gov>.

Proposed Changes to the Foreign Trade Regulations

by Omari Wooden, Trade Ombudsman, Foreign Trade Division

On January 21, 2011, the U.S. Census Bureau issued the Notice of Proposed Rulemaking (NPR) for revisions to the Foreign Trade Regulations (FTR). Most of the clarifications and changes reflect a need to update the FTR to meet export enforcement laws. We recommend that you take a look at the entire NPR for more details. Keep in mind that these are proposed changes to the FTR until a final rule is issued. Therefore, the feedback we receive from the trade community may influence whether these changes become effective. A summary of some of the major proposed changes (not all inclusive) is listed below.

- Postdeparture reporting:
 - Only approved commodities can be shipped postdeparture.
 - Shipments must be reported within 5 days from the date of export, instead of 10 days.
 - Each U.S. Principal Party in Interest (USPPI) considering postdeparture reporting will have to apply, including previously approved companies.
- All household goods must be reported regardless of value and country of destination.
- All used self-propelled vehicles must be reported in the Automated Export System 72 hours prior to export, regardless of value or country of destination.
- Port of export for overland transportation (truck and rail) is where the goods cross the U.S. border into Canada or Mexico, including transshipments through Canada or Mexico.
- Several new data elements have been proposed, including:
 - Address of license applicant
 - License value
 - Name and address of end-user
 - Country of origin, if commodity is listed as foreign origin

Be sure to review the entire NPR for complete details. Comments or questions on the proposed changes can be submitted to <FTD.FTR.comments@census.gov>. Make yourself aware of these proposed changes now because they may affect you in the future!

New Expanded Data Series

FT-920 U.S. Merchandise Trade: Selected Highlights

by Maria Iseman, Chief, Data Dissemination Branch

In our ongoing effort to better serve our customers, the U. S. Census Bureau has streamlined the FT-920 U.S. Merchandise Trade: Selected Highlights. The new version has 8 exhibits, now including port data. Although the previous version had 10 exhibits, you will have all the data previously available, as well as the new port information.

The new version began with January 2011 statistics and was released in March 2011.

The expanded port series in the new FT-920 includes vessel and air data on an individual port level. Exhibit 1a shows export data while Exhibit 4a shows import data. The FT-920 also continues to offer data not typically found in other trade releases, such as calculated duty and shipping weight.

continued on page 4

New Expanded Data Series—Con.

Both the new and the old formats of the FT-920 were published simultaneously for the statistical months of January and February 2011. From March 2011 forward, only the new FT-920 will be released each month.

For examples of the exhibits in MS Excel format, go to <http://www.census.gov/foreign-trade/Press-Release/2010pr/11/ft920/index_new.html>.

If you have any questions or need additional information, please contact the Data Dissemination Branch by calling 800-549-0595 and selecting Menu Option 4, or by sending an e-mail to <ftd.data.dissemination@census.gov>.

LOOKING TO APPRAISE TRADING TRENDS OR MARKET OUTLOOK?

USA Trade Online Now Includes State Import Data!

In mid-March, the Foreign Trade Division added state import data to the official source of U.S. merchandise trade data, **USA Trade Online**. Please visit our Web site at <www.usatradeonline.gov>.

USA Trade Online offers time series analysis on a monthly, annual, and cumulative year-to-date basis. With the addition of the import data for all 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands, users will be able to measure the impact of foreign competition and to conduct more detailed market share analysis from both state and national perspectives.

USA Trade Online is the fastest and most economical way to access the monthly merchandise trade numbers. Using the Harmonized System (HS) and the North American Industry Classification System (NAICS) codes, users are able to create customized reports featuring detailed import and export statistics. Trade data reports are available up to the 10-digit HS and 6-digit NAICS level.

Data Offerings Available on USA Trade Online

Data Type	Commodity Classification	Time Series	Measures
District Data	2-, 4-, 6-, and 10-digit HS	1992 – current	Total Value, Quantity, Unit Price
Port Data	2-, 4-, and 6-digit HS	2003 – current	Total Value, Vessel Value and Weight, Air Value and Weight, Containerized Vessel Value and Weight
State Export Data	2-, 4- and 6-digit HS 3- and 4-digit NAICS	2002- current	Total Value, Vessel Value and Weight, Air Value and Weight, Containerized Vessel Value and Weight
State Import Data	2-, 4- and 6-digit HS 3- and 4-digit NAICS	2008 - current	Total Value, Vessel Value and Weight, Air Value and Weight, Containerized Vessel Value and Weight
NAICS Export & Import District Data	3-, 4-, 5- and 6-digit NAICS	2002- current	Total Value, Domestic and Foreign Export Value, General Imports Customs and CIF Value, Imports for Consumption Customs and CIF Value, Balance

USA Trade Online is available to the public by subscription. The cost is \$300 for an annual subscription, \$75 for a 30-day period, or \$25 per day (minimum one day). Users can sign up by visiting <www.usatradeonline.gov/subscribe> or by calling 800-549-0595 and selecting Menu Option 4.

When Should I Check the “Related Parties” Indicator?

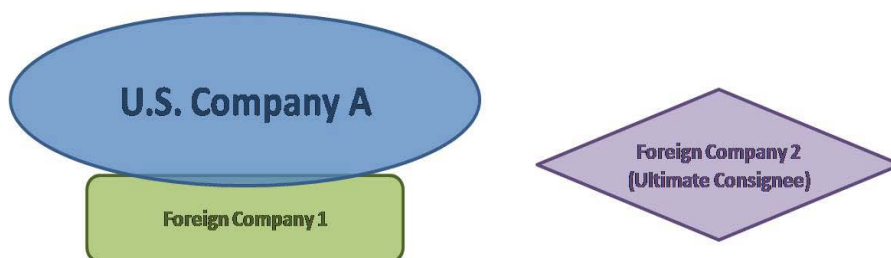
by Selina Ferguson, Regulations, Outreach, and Education Branch

When filing in the Automated Export System (AES), how do you know when to check the “related parties” indicator? Recently, we have received a number of inquiries on this subject. After reading this article, your company should find it easier to determine whether the companies in the export transaction are “related” in AES terms.

According to the Foreign Trade Regulations (FTR), a party is considered related in a transaction when a U.S. Principal Party in Interest (USPPI) exports to an ultimate consignee where either party owns (directly or indirectly) at least 10 percent of the other party. Conversely, if the ownership is less than 10 percent, the parties are not considered related for AES purposes.

This article will examine three scenarios to determine if the parties are related as defined by the FTR.

Scenario 1: U.S. Company A owns Foreign Company 1



1. U.S. Company A sold and shipped goods to Foreign Company 1

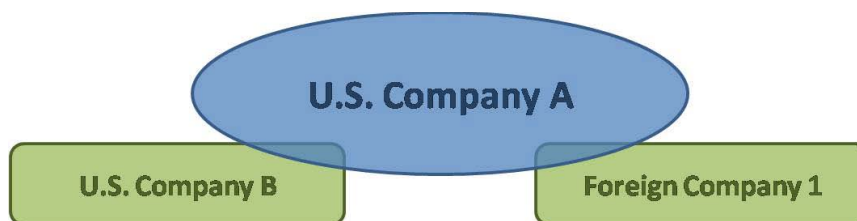
This is a related parties transaction because U.S. Company A owns Foreign Company 1 (the ultimate consignee).

2. U.S. Company A sold goods to Foreign Company 1 but is instructed by Foreign Company 1 to ship directly to their customer, Foreign Company 2

This is not a related parties transaction because there is no relationship of ownership between U.S. Company A (the USPPI) and Foreign Company 2 (the ultimate consignee).

Scenario 2: U.S. Company A owns both U.S. Company B and Foreign Company 1

When exporting under these circumstances, two types of transaction can occur.



1. Export from U.S. Company A to Foreign Company 1

This is a direct related parties transaction because there is a direct relationship between U.S. Company A and Foreign Company 1.

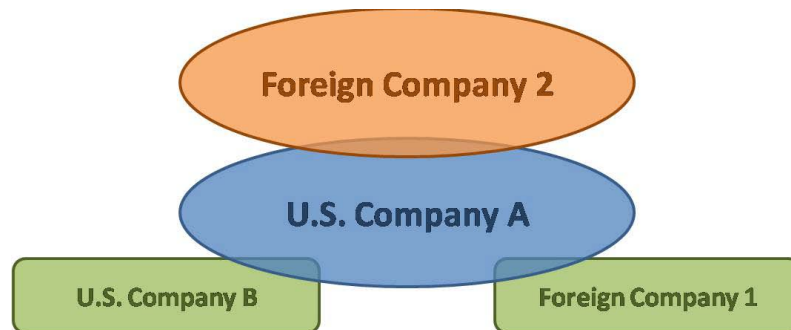
continued on page 6

When should I check the "Related Parties" Indicator?—Con.

2. Export from U.S. Company B to Foreign Company 1

This is **not** a related party transaction because of the lack of ownership between U.S. Company B and Foreign Company 1. For statistical purposes, they are not considered related to each other. According to the Code on Federal Regulations Part 30, FTR, a company must have a stake of ownership in the other in order for them to be related.

Scenario 3: The relationship between the companies in this diagram remains the same as in Scenario 2. However, Foreign Company 2 has 10 percent or more ownership in U.S. Company A. When reporting under these circumstances, there are two possible types of export transactions that can occur.



1. Export from U.S. Company A to Foreign Company 2

This is a related parties transaction because of direct ownership.

2. Export from U.S. Company B to Foreign Company 2

This is an indirect related parties transaction. Because Foreign Company 2 indirectly owns U.S. Company B through their ownership of U.S. Company A.

As previously mentioned, the key to determining whether your companies are related parties is to determine if there is a relationship of ownership between the USPPI and the ultimate consignee.

Using these diagrams will help determine whether the companies in your export transaction are related. These diagrams are meant to provide general guidance on related parties and may not apply to all scenarios. If your company has a business relationship not covered by these examples, please contact the Regulations, Outreach, and Education Branch by phone at 800-549-0595, Menu Option 3, or send an e-mail to <ftdregs@census.gov>.

Government Agencies Reduce Export Compliance Burden by Consolidating Party Screening Lists

by Gerry Horner, Bureau of Industry and Security (BIS)

In August 2009, President Obama directed a broad-based interagency review of the U.S. export control system, with the goal of strengthening national security and the competitiveness of key U.S. manufacturing and technology sectors. The review focused on current threats as well as adapting to the changing economic and technological landscape. The White House release can be found on <<http://www.whitehouse.gov/the-press-office/2010/08/30/president-obama-lays-foundation-a-new-export-control-system-strengthen-n>>.

Based on the interagency review, the Obama Administration has implemented the Export Control Reform Initiative to make fundamental reforms to the U.S. export control system. As part of this initiative, cabinet departments have consolidated the various export screening lists administered by the Departments of State, Commerce, and the Treasury into a common and less burdensome electronic format. The new format facilitates the screening of parties to export transactions to ensure compliance with U.S. export control and sanctions regulations.

Exporting companies can view the downloadable file at <http://www.export.gov/ecr/eg_main_023148.asp>. This link provides additional instructions on how to use the list. The specific lists included in the consolidated downloadable file are:

Department of Commerce—Bureau of Industry and Security

Denied Persons List—Individuals and entities that have been denied export privileges. Any dealings with a party on this list that would violate the terms of its denial order are prohibited.

Unverified List—End-users that BIS has been unable to verify in prior transactions. The presence of a party on this list in a transaction is a “Red Flag” that should be resolved before proceeding with the transaction.

Entity List—Parties whose presence in a transaction can trigger a license requirement supplemental to those elsewhere in the Export Administration Regulations (EAR). The list specifies the license requirements and policy that apply to each listed party.

Department of State—Bureau of International Security and Nonproliferation

Nonproliferation Sanctions—Parties that have been sanctioned under various statutes. The linked Web page is updated as appropriate, but the Federal Register is the only official and complete listing of nonproliferation sanctions determinations.

Department of State—Directorate of Defense Trade Controls

Arms Export Control Act (AECA) Debarred List—Entities and individuals prohibited from participating directly or indirectly in the export of defense articles, including technical data and defense services. Pursuant to the AECA and the International Traffic in Arms Regulations, the AECA Debarred List includes persons convicted in court of violating or conspiring to violate the AECA and subject to “statutory debarment” or persons established to have violated the AECA in an administrative proceeding and subject to “administrative debarment.”

continued on page 8

Department of the Treasury—Office of Foreign Assets Control (OFAC)

Specially Designated Nationals List—Parties who may be prohibited from export transactions based on OFAC's regulations. The EAR require a license for exports or reexports to any party in any entry on this list that contains any of the suffixes "SDGT," "SDT," "FTO," "IRAQ2," or "NPWMD."

For more information regarding this list, please contact Gerry Horner at the Department of Commerce, Bureau of Industry and Security by sending an e-mail to <ghorner@bis.doc.gov>.

Fatal Error Message 004: Filer/Transmitter Not Authorized to Send

by Cesar Anchiraico, Automated Export System Branch

This fatal error message occurs when the filer's account has been deactivated, thus preventing the filer from transmitting to Automated Export System (AES), or when either the Filer ID or the Transmitter ID does not match the filer's AES certified vendor software.

If you are the filer and receive the message below, take the following steps. If you authorize someone else to file the EEI on your behalf, please share this information with them.

FATAL 004 FILER/TRANSMITTER NOT AUTHORIZED TO SEND

1. If the filer uses AES certified vendor software to transmit shipments to AES or has a direct connection to the AES server, then verify the Filer ID and Transmitter ID to determine whether they match previous transmissions.
 - a. If the IDs do not match, then contact your AES certified software provider or your company's computer staff to request that a correction is made to one or both of the IDs in their system. In technical terms, this may be classified as a "runstream error."
 - b. Once this has been corrected, the filer must retrieve all shipment reference numbers associated with the fatal error, correct the Electronic Export Information (EEI), and resubmit the shipments to the AES. This will correct Fatal Error 004 and remove the shipment(s) from future AES Fatal Error Reports.
2. If the filer uses *AESDirect* or *AESpCLink* to file the EEI, then verify that the Filer ID is authorized to transmit to AES.
 - a. The filer can verify the Filer ID by logging into *AESDirect* and looking at the left side of the AES Main Menu screen underneath the "My Company" section.
 - b. If the filer confirms that the ID is the same used when the *AESDirect* account was registered, then call the *AESDirect* Technical Support Team at 877-715-4433 to verify that the Filer ID is authorized.
 - c. If you determine that the Filer ID is not currently authorized to file shipments to the AES, then the Account Administrator must establish a new *AESDirect* account at <www.aesdirect.gov> in order to reestablish the Filer ID.

Understanding the Foreign Trade Regulations

by Tenzin Frisby, Regulations, Outreach, and Education Branch

What can you do to learn more about the Foreign Trade Regulations (FTR) and the Automated Export System (AES)? The answer is simple ... attend one of our AES Compliance Seminars!

Our AES Compliance Seminar covers:

- Legal requirements—federal agencies involved in regulating exports.
- Filing requirements for Electronic Export Information—why and when you have to file.
- Types of transactions—both standard and routed export transactions.
- Data elements—obtain a clear explanation of the AES data elements required.
- Confidentiality—learn how your information is safeguarded.
- Penalty provisions—discuss strategies on how to avoid costly penalties.
- Questions you may have on the FTR—experts will answer your questions.

Where can I find the seminar schedule? The seminar schedule and additional educational opportunities are shown at <www.census.gov/trade>. Select the “Upcoming Releases and Seminars” box in the right margin, and then select the “See the full schedule” link. This link will allow you to view our upcoming training, webinars, presentations, and conferences. This list is updated as events become available.

Other educational resources are also available on our Web site:

- Export training videos. <<http://www.census.gov/foreign-trade/aes/exporttraining/videos/>>
- Information on the AES, AES filer certification, and AES software certification. <<http://www.census.gov/foreign-trade/aes/gettingstarted/index.html>>
- The federal register version of the FTR in both PDF and HTML. <<http://www.census.gov/foreign-trade/regulations/index.html>>
- A Quick Guide to Title 15, Part 30 FTR <<http://www.census.gov/foreign-trade/www/products/roebproducts.html>>, which is also available as a magnetic flipper for a fee of \$5 per flipper.
- Frequently Asked Questions about the FTR. <<http://www.census.gov/foreign-trade/www/products/roebproducts.html>>

Our dedicated staff are also available should you need to speak with someone regarding the interpretation and clarification of the FTR at 800-549-0595, Menu Option 3.

Contact Information

AESDirect Technical Support (toll-free)

Every day, 7 a.m.–7 p.m. ET

Voice: 877-715-4433

Fax: 301-562-7795

E-mail: boc-support@trade2000.com

Foreign Trade Division Call Center

800-549-0595 (see menu options below)

The e-mail addresses below are not secure. Confidential company information should not be sent to these addresses.

Automated Export System Branch, Menu Option 1

Monday through Friday

7:30 a.m.–6 p.m. ET

Fax: 301-763-6638

E-mail: askaes@census.gov

Commodity Analysis Branch (Schedule B/HTS Classification), Menu Option 2

Monday through Friday

8:30 a.m.–5:00 p.m. ET

Fax: 301-763-4962

Schedule B questions: ftd.scheduleb@census.gov

Regulations, Outreach, and Education Branch, Menu Option 3

Monday through Friday

7 a.m.–6 p.m. ET

Fax: 301-763-4610

E-mail: ftdregs@census.gov

Data Dissemination Branch, Menu Option 4

Monday through Friday

8:30 a.m.–5 p.m. ET

Fax: 301-763-8835

E-mail: ftd.data.dissemination@census.gov

Foreign Trade Division (all branches)

Secure Fax: 301-763-8835

This fax number is for confidential company information (i.e., data requests). Please include a cover sheet with the name and/or branch phone number to whom the fax should be delivered.

AES Partnership Agencies

U.S. Customs and Border Protection (CBP)

Trade Enforcement and Facilitation

For questions regarding CBP, ITAR, and Used Vehicles contact:

Robert Rawls, Program Manager, 202-344-2847

E-mail: robert.rawls@dhs.gov or manifest.branch@dhs.gov

continued on page 11

Contact Information—Con.

Bureau of Industry and Security (BIS)

Help Desk, Washington, DC

202-482-4811

Western Regional Office, Los Angeles/Newport Beach, CA

949-660-0144

Western Regional Office, San Jose, CA

408-351-3378

Directorate of Defense Trade Controls

U.S. State Department, Washington, DC

Response Team

202-663-1282

D-Trade Questions

202-663-2838

Web sites

U.S. Census Bureau, Foreign Trade

www.census.gov/trade

U.S. Customs and Border Protection

www.cbp.gov

Bureau of Industry and Security

www.bis.doc.gov

U.S. State Department, Directorate of
Defense Trade Controls

www.pmddtc.state.gov

U.S. Treasury Department, Office of
Foreign Assets Control

www.treas.gov/offices/enforcement/ofac