Regulations

Foreign Trade Regulations

Where can I get more information on the Foreign Trade Regulations (FTR)?
The FTR can be found on the U.S. Census Bureau's website located at http://www.census.gov/foreign-trade/regulations/index.html. Questions concerning the FTR may be directed to the Trade Regulations Branch at (800) 549-0595, option 3 or via email at ftdregs@census.gov.

How much time will I have to become compliant with the Final Rule to the Foreign Trade Regulations (FTR), published March 14, 2013?
The Final Rule published on March 14, 2013 became effective April 5, 2014, however, there is a 180 day informed compliance period. During this time, no penalties will be issued for failure to comply with any new requirements found in the March 14, 2013 rule. Penalties may be issued for violations of regulations that remain unchanged from the FTR published on June 2, 2008. The period of informed compliance will take place from the revised FTR effective date of April 5, 2014 through October 2, 2014.

What new exemptions were added to the Foreign Trade Regulations as a result of the Final Rule published March 14, 2014? [FTR Section 30.37]
Section 30.37 (u): Exports of technical data and defense service exemptions as cited in 22 CFR 123.22(b)(3)(iii) of the ITAR.

Section 30.37 (v): Vessels, locomotives, aircraft, rail cars, trucks, other vehicles, trailers, pallets, cargo vans, lift vans, or similar shipping containers not considered "shipped" in terms of the regulations in this part, when they are moving, either loaded or empty, without transfer of ownership or title, in their capacity as carriers of goods or as instruments of such carriers.

Section 30.37 (w): Shipments to Army Post Office, Diplomatic Post Office, Fleet Post Office.

Section 30.37 (x): Shipments exported under BIS license exception Baggage (BAG) (15 CFR 740.14).

Section 30.37 (y): The following types of shipments destined for a country listed in Country Group E:1 as set forth in Supplement No. 1 to 15 CFR part 740 are not required to be filed in the AES:

(1) Shipments of published books, software, maps, charts, pamphlets, or any other similar media available for general distribution, as described in 15 CFR 734.7, to foreign libraries, or similar institutions.
(2) Shipments to U.S. government agencies and employees that are lawfully exported under License Exception GOV (15 CFR 740.11(b)(2)(i) or (ii)) valued at $2500 or less per Schedule B Number.
(3) Personal effects as described in 15 CFR 740.14(b)(1) being lawfully exported under License Exception BAG (15 CFR 740.14).
(4) Individual gift parcels and humanitarian donations being lawfully exported under License Exception GFT (15 CFR 740.12(a) and (b)).
(5) Vessels and aircraft lawfully leaving the United States for temporary sojourn to or in a Country Group E:1 country under License Exception AVS (15 CFR 740.15).
(6) Tools of trade that will be used by a person traveling to a Country Group E:1 destination, that will be returned to the United States within one year and that are lawfully being exported to a Country Group E:1 destination under License Exception BAG (15 CFR 740.14) or License Exception TMP (15 CFR 740.9(a)).

What is a Shipment? [FTR Section 30.1(c)]
A shipment is defined as all goods being sent from one U.S. Principal Party in Interest to one consignee located in a single country of destination on a single conveyance and on the same day. You must file Electronic Export Information (EEI) when the value of the goods is over $2,500 per Schedule B or the shipment falls under Section 30.2(a)(1)(iv).

What is postdeparture filing and how do I become a postdeparture filer? [FTR Section 30.4(c)]
Postdeparture filing is a privilege granted to approved U.S. Principal Parties in Interest to file Electronic Export Information (EEI) up to five calendar days after the date of export. Currently, there is a moratorium on accepting new applications for postdeparture filing, pending the development of a new program to collect limited advanced export information.

Why will approved postdeparture filers now only have five days to file rather than the original ten days?
The postdeparture filing timeframe was reduced to five days for export control and enforcement purposes. Furthermore, a study of postdeparture shipments showed the vast majority of shipments were reported within five days after export.

What can cause a filer to lose their postdeparture privileges? [FTR Section 30.5(c)(3)]
The Census Bureau, U.S. Customs and Border Protection, or the Bureau of Industry and Security may revoke postdeparture filing privileges of an approved USPPI for the following reasons:

(1) The USPPI's volume of EEI reported in the AES does not warrant continued participation in the postdeparture program;
(2) The USPPI or its authorized agent has failed to submit EEI through the AES in a timely and accurate manner;
(3) The USPPI has made a false or misleading statement or omission with respect to material fact;
(4) The USPPI has been indicted, convicted, or is currently under investigation for a felony involving a violation of federal export laws or regulations and the Census Bureau has evidence of probable cause supporting such violation, or the participant is in violation of export rules and regulations ;
(5) The USPPI has failed to comply with existing export regulations or has failed to pay any outstanding penalties assessed in connection with such noncompliance; or
(6) The USPPI poses a significant threat to national security interests such that its continued participation in postdeparture filing should be terminated.
(7) The USPPI or its authorized agent files postdeparture for commodities that are identified in Section 30.4(a).

Note: Any other Federal agency may revoke a USPPI's postdeparture filing privileges with respect to transactions subject to the jurisdiction of that agency. When doing so, the agency shall notify both the Census Bureau and the USPPI whose authorization is being revoked.

Can approved postdeparture filers still file postdeparture under the Final Rule published March 14, 2013?
Yes. Approved postdeparture filers may continue to file postdeparture. However, the timeframe in which they must report has decreased from 10 calendar days to five calendar days.

The Census Bureau is currently in the process of implementing a new Advanced Export Information (AEI) pilot program to address postdeparture filing. Postdeparture filers may need to reapply to the new program if it is fully implemented.

Where can I find the Proof of Filing and Exemption Citations in the Foreign Trade Regulations (FTR)?
The Proof of Filing and Exemption Citations are found in Appendix D of the FTR. Filing procedures and deadlines for presenting these statements are found in Section 30.4 of the FTR. See FAQ "What are the filing timeframes for submitting Electronic Export Information (EEI) in the Automated Export System (AES)?" for more information.

How do you report temporary exports?
When reporting temporary exports, be sure to select the proper Export Information Code (EIC). The lists of codes are located in Appendix B, Part II. The EICs for temporary exports are as follows:

TP Temporary exports of domestic merchandise
IP Shipments of merchandise imported under a Temporary Import Bond for further manufacturing or processing
IR Shipments of merchandise imported under a Temporary Import Bond for repair
TE Temporary exports to be returned to the United States
TL Merchandise leased for less than a year
IS Shipments of merchandise imported under a Temporary Import Bond for return in the same condition
CR Shipments moving under a carnet

If exemptions 30.37(q) or 30.37(r) apply, remember to annotate your loading documents with the exemption legend "NOEEI 30.37(q) or 30.37(r)."

How do you determine the "value" and "license value" of a shipment?
There are two value fields captured in the AES, value and license value. The value is the selling price in U.S. dollars (or the cost if the goods are not sold), plus inland or domestic freight, insurance, and other charges to the U.S. seaport, airport, or land border port of export. Cost of goods is the sum of expenses incurred in the USPPI's acquisition or production of the goods (Section 30.6 (a)(17)).

The license value is the value designated on the export license that corresponds to the commodity being exported. This is required for all shipments that contain licensed goods (Section 30.6(b)(15)).

For example, the following shipment has:
- Licensed ammunition = $10,000
- Domestic freight transportation + insurance cost = $250
- Value on the license obtained = $100,000

Based on the shipment information provided above, the filer would report value and license value the following way:

Value= $10,000 + 250 = $10,250
License Value = $10,000

Please note: if the shipment does not require a license, you do not have to complete the license value field.

Electronic Export Information (EEI)

What is the purpose of Electronic Export Information (EEI)?
The EEI is used for compiling the official U.S. export statistics for the United States and for purposes of enforcing U.S. export laws and regulations. The regulatory provisions for preparing and filing the EEI are contained in the Foreign Trade Regulations, Title 15, Code of Federal Regulations, Part 30.

Why is filing Electronic Export Information (EEI) mandatory?
Public Law 107-228 authorizes the Secretary of Commerce, to publish regulations mandating that all persons who are required to file export information under Chapter 9 of Title 13, United States Code, file such information through the Automated Export System.

Who can file the Electronic Export Information (EEI)? (FTR Section 30.2)
The U.S. Principal Party in Interest (USPPI) or a U.S. authorized agent can file EEI through the Automated Export System.

When is Electronic Export Information (EEI) required? [FTR Section 30.2(a)(1)(i) & (ii)]

Shipped From	To
United States	Foreign Countries
United States	Puerto Rico
United States	U.S. Virgin Islands
Puerto Rico	United States
Puerto Rico	Foreign Countries
Puerto Rico	U.S. Virgin Islands
U.S. Virgin Islands	Foreign countries
U.S. Foreign Trade Zones	Puerto Rico
U.S. Foreign Trade Zones	U.S. Virgin Islands
U.S. Foreign Trade Zones	Foreign countries

Additionally, the EEI must be submitted for all shipments that are subject to provisions listed in Section 30.2(a)(1)(iv), regardless of value.

When is Electronic Export Information (EEI) not required? [FTR Section 30.2(d)(2)]

Shipped From	To
United States	Canada (as noted in Section 30.36)
U.S. Virgin Islands	United States
U.S. Virgin Islands	Puerto Rico
United States/Puerto Rico/Virgin Islands	Other U.S. Territories**
Other U.S. Territories**	United States

** American Samoa, Baker Island, Commonwealth of the Northern Mariana Islands, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingmen Reef, Midway Islands, Navassa Island, Palmyra Atoll, and the Wake Island.

What items are required to be filed predeparture? [FTR Section 30.4(a)]

(1) Used self-propelled vehicles as defined in 19 CFR 192.1 of U.S. Customs and Border Protection regulations;
(2) Essential and precursor chemicals requiring a permit from the DEA;
(3) Shipments defined as ‘‘sensitive’’ by Executive Order;
(4) Shipments where a U.S. government agency requires predeparture filing;
(5) Shipments defined as ‘‘routed export transactions’’ (see Section 30.3(e));
(6) Shipments where complete outbound manifests are required prior to clearing vessels going directly to the countries identified in U.S. Customs and Border Protection regulations 19 CFR 4.75(c) and aircraft going directly or indirectly to those countries. (See U.S. Customs and Border Protection regulation 19 CFR 122.74(b)(2));
(7) Items identified on the USML of the ITAR (22 CFR 121);
(8) Shipments that require a license from the BIS and exports listed under BIS’s grounds for denial of postdeparture filing status (see 15 CFR 758.2);
(9) Shipments that require a license from the Nuclear Regulatory Commission;

(10) Shipments of rough diamonds classified under HS subheadings 7102.10, 7102.21, and 7102.31 and exported (reexported) in accordance with the Kimberley Process;
(11) Shipments for which the USPPI has not been approved for postdeparture.

What are the filing timeframes for submitting Electronic Export Information (EEI) in the Automated Export System (AES)? [FTR Section 30.4(b)]
There are two filing timeframes, one for USML shipment and one for Non-USML shipments. The timeframes vary by method of transportation. See below for both non-USML and USML shipments.

	USML Shipments [FTR Section 30.4 (b)(1)] & 22 CFR 123.22(b)]	**Non- USML Shipments [FTR Section 30.4 (b)(2)]**
	24 hours prior to vessel departure	24 hours prior to loading
	8 hours prior to truck departure	1 hour prior to truck arriving at U.S. border
	8 hours prior to scheduled departure	2 hours prior to scheduled departure
	24 hours prior to train departure	2 hours prior to train arriving at U.S. border
	Refer to 22 CFR 123.24	2 hours prior to export

Note: Used-self propelled vehicles must be filed 72 hours prior to export regardless of value or country of destination. Shipments between the United States and Puerto Rico, the AES proof of filing citation, postdeparture filing citation, or exemption citation must be presented to the carrier by the time the shipment arrives at the port of unloading. [Section 30.4(b)(3)]

What is the Foreign Trade Regulations (FTR) requirement for filing Electronic Export Information (EEI) through the Automated Export System (AES) for shipments between the United States and Puerto Rico?
Shipments between the United Stated and Puerto Rico are exempt from the advanced filing timeframes highlighted in the FTR. However, the proof of filing, postdeparture filing, exemption, exclusion, or downtime citation must be presented to the carrier prior to the arrival of goods at the port of unloading for shipments between the United States and Puerto Rico.

Is there flexibility with the current filing timeframe for bulk exports? (FTR Section 30.9)
No. All exporters, including bulk cargo exporters must submit their export information according to the filing timeframes; however, exporters are permitted to provide estimated cargo information prior to loading. Once the correct cargo information is known, the U.S. Principal Party in Interest, or authorized agent must update the Automated Export System record with the accurate information.

Is Electronic Export Information required for shipments that clear a U.S. port but are ultimately destined for Puerto Rico?
No. Shipments that are entered into the U.S. from a foreign country with an ultimate destination of Puerto Rico are not required to be filed in the Automated Export System. Transactions of this nature appear in our import statistics with the U.S. port as the port of entry and Puerto Rico as the port of unlading.

Is the Internal Transaction Number sufficient to clear an automobile that has been pending clearance, or is further documentation required?
The mandatory Automated Export System filing requirements established by the Foreign Trade Regulations do not affect the document requirements for vehicles intended for export. Exportation of a vehicle will be permitted only upon compliance with the requirements as described in 19 CFR Part 192.

Are you able to file used self-propelled vehicles postdeparture? [FTR Section 30.4(a)(1)]
Postdeparture filing is not allowed for the export of used self-propelled vehicles as defined in Title 19, CFR 192.1. With the exception of shipments between the U.S. and Puerto Rico, all used self-propelled vehicles must be filed 72 hours prior to export regardless of value or country of destination. Used self-propelled vehicles being shipped between the U.S. and Puerto Rico must be filed by the time the goods arrive at the port of unlading.

Can a Manufacturer's Statement of Origin (MSO) or a Manufacturer's Certificate of Origin (MCO) exempt a filer from reporting used self-propelled vehicles in the Automated Export System (AES)?
No. All used self-propelled vehicles must be reported in the AES regardless of whether there is a MSO or MCO.

What is the filing timeframe for used self-propelled vehicles? [FTR Section 30.4(b)(5)]
The U.S. Principal Party in Interest or authorized agent must provide the proof of filing citation to U.S. Customs and Border Protection at least 72 hours prior to export, except for shipments to Puerto Rico where the proof of filing citation must be provided by time the goods arrive at the port of unloading.

Can I make a correction to an Electronic Export Information (EEI)? (FTR Section 30.9)
Yes. Corrections, cancellations, or amendments to the EEI should be transmitted to the Automated Export System (AES) as soon as they are identified. If you are having problems correcting an AES error, contact the Automated Export System Branch at (800) 549-0595, option 1 or via email at askaes@census.gov.

Is Electronic Export Information (EEI) filed in the Automated Export System (AES) confidential? (FTR Section 30.60)
The EEI that the U.S. Census Bureau collects through the AES is confidential and is used by the Census Bureau and other statistical agencies. It is also used by export enforcement agencies to monitor and enforce U.S. export laws. Under Title 13, United States Code, Section 301(g), the EEI is exempt from public disclosure unless the Census Bureau Director determines that such exemption would be contrary to the national interest. Except as provided in Section 30.60(e) of the FTR, the EEI collected shall not be disclosed to anyone by any officer, employee, contractor, agent of the federal government or other parties with access to EEI other than to the USPPI or, an authorized agent. The USPPI or their authorized agent must not disclose the EEI to foreign governments or entities for any purposes.

Is Electronic Export Information (EEI) required for goods donated for relief or charity?
Any shipment of goods donated for relief or charity valued over $2,500 per Schedule B number or that requires a license must be filed in the Automated Export System. However, if the shipment is valued less than $2,500 per Schedule B number and does not require a license, use the low value exemption, NOEEI 30.37(a).

If an AES record is required then there are four Schedule B numbers that can be used. Those numbers are found in chapter 98 of the Schedule B book under subheading 9802. See the chart below for information on these Schedule B numbers.

Schedule B Number	Description	Unit of Measurement
9802.10.0000	Food products	x no unit required
9802.20.0000	Medicinal and pharmaceutical products	x no unit required
9802.30.0000	Wearing apparel (including footwear and headwear)	x no unit required
9802.40.0000	Donated articles, not elsewhere specified	x no unit required

The Export Information Code to be reported is "CH" (see Appendix B, Part II) for shipments of goods donated for relief or charity. The value to be reported is the market value. If that value is not known, estimate how much you would receive if the goods were sold.

Is the equipment number required to be reported in the Automated Export System? [FTR Section 30.6(c)(2)]
No. The equipment number is an optional reporting field.

What address do I report in the Automated Export System when my goods begin the journey to the port of export from multiple locations? [FTR Section 30.6(a)(1)(ii)]
If a shipment involves goods leaving from multiple locations and they are consolidated for export, the address to be reported is the location from which the commodity with the greatest value began its journey to the port of export. If such information is not known, report the address in the state in which the commodities are consolidated for export.

I am exporting goods that leave from my supplier's warehouse, which I do not own. What address do I report in the Automated Export System (AES)? [FTR Section 30.6(a)(1)(ii)]
The address to be reported in the AES is the location (not post office box address) from which the goods begin their journey to the port of export. This remains true even if the U.S. Principal Party in Interest does not own or lease the facility. For statistical purposes, the Foreign Trade Regulations requires the reporting of this address to capture the actual state in which the goods begin their journey to the port of export. For example, Company A located in Muleshoe, Texas leases a warehouse in Norman, Oklahoma from which the goods are released for export. When reporting the electronic export information in the AES, Company A would report their name and Employer Identification Number with the address of the warehouse in Oklahoma.

Can a Non-Vessel Operating Common Carrier (NVOCC) be listed as a carrier in the Automated Export System (AES)? [FTR Section 30.6(a)(8)]
Yes. A NVOCC can be listed as the carrier in the AES. For filing purposes, report the Standard Carrier Alpha Code (SCAC) of the party whose booking number was reported in the AES. When booking with a NVOCC the SCAC can be reported for the NVOCC if the NVOCC's booking number was reported in the AES.

Should the exporting carrier accept cargo if the U.S. Principal Party in Interest (USPPI) provides the postdeparture citation without the date of export? [FTR Appendix D]
No. The exporting carrier should not accept cargo with an incomplete citation. The proper postdeparture citation should read "AESPOST USPPI ID mm/dd/yyyy" if a USPPI is filing or "AESPOST USPPI ID--Filer ID mm/dd/yyyy" if an authorized agent is filing.

Is there a specific section of the Foreign Trade Regulations (FTR) where the carrier responsibilities are identified?
Yes. Section 30.3(c)(3) details the carrier's responsibility.

How should carriers handle changes to the manifest? [FTR Section 30.3(c)(3)(iv)]
Manifest amendments must be made in accordance with U.S. Customs and Border Protection regulations. The carrier shall notify the U.S. principal party in interest (USPPI) or the authorized agent of changes to the transportation data, and the USPPI or the authorized agent shall electronically transmit the corrections, cancellations, or amendments in the AES as soon as the corrections are known.

Whose carrier identification code do I report in the Automated Export System (AES) for vessel shipments, the Non-Vessel Operating Common Carrier or the Ocean Carrier? [FTR Section 30.6(a)(8)]
The carrier identification code to be reported in the AES is the code of the party whose booking number was reported in the AES. The system only allows one identification code per transaction; therefore, the filer is to report the Standard Carrier Alpha Code (SCAC) that corresponds to the booking number reported in the AES.

Is the seal number required to be reported in the Automated Export System? [FTR Section 30.6(c)(1)]
No. The seal number will is an optional data field.

Parties to Transaction

Who is the U.S. Principal Party in Interest (USPPI) in an export transaction? [FTR Section 30.3(b)(2)]
The USPPI is the person or legal entity in the United States that receives the primary benefit, monetary or otherwise, from the export transaction. Generally, that person or entity is the U.S. seller, manufacturer, order party, or the foreign entity if in the United States when purchasing or obtaining the goods for export.

What should be reported in the U. S. Principal Party in Interest (USPPI) identification field?
The USPPI shall report its own Employer Identification Number (EIN) in the USPPI identification number field in the Automated Export System. When a foreign entity is in the United States when items are purchased or obtained for export, the foreign entity shall be listed as the USPPI. In this situation, a DUNS number, border crossing number, passport number, or any number assigned by the Customs and Border Protection may be used in lieu of an EIN. A social security number cannot be reported in the USPPI identification field.

How do you apply for an Employer Identification Number (EIN) and how long will it take to obtain an EIN?
Information on the EIN application processes can be found on the Census Bureau's website at http://www.census.gov/foreign-trade/regulations/roeb_obtaining_an_ein.pdf [PDF, 379k]. See the chart below for information on the methods for applying for an EIN.

Method	How	Process Timeframe
Online	1. Go to: http://www.irs.gov; 2. Type in Search Box: *'Apply for EIN'*; 3. Click on: *'Apply for an Employer Identification Number (EIN) Online'*	Approximately 15 Minutes
Toll-Free Call	(800) 829-4933	Approximately 15 Minutes
Mail	Internal Revenue Service Attn: EIN Operation Cincinnati, OH 45999 (Need Form SS-4)	4 Weeks

Why was the Social Security Number (SSN) eliminated for use as an identification number in AES?
The Office of Management and Budget mandated the Census Bureau to eliminate the collection of the SSN for Automated Export System purposes. This rule was implemented to ensure that a U.S. Principal Party in Interest's or U.S. authorized agent's SSN is protected in accordance with the Privacy Act of 1974, Title 5, United States Code, Section 552a. The Census Bureau was mandated to comply with this federal law by eliminating the use of the SSN. Information on how to obtain an EIN on-line, by phone, fax or mail can be found at the Internal Revenue Service website (www.irs.gov) or at the Census Bureau's website (http://www.census.gov/foreign-trade/regulations/index.html).

If a customer ships his/her personal items or ships very seldom, does he/she have to obtain an Employer Identification Number (EIN)?
Regardless of the type of items being shipped or the shipping frequency, any U.S. person/entity shipping goods to a foreign country that requires filing an Electronic Export Information to the Automated Export System will need to obtain an EIN from the Internal Revenue Service.

Can an individual apply for an Employer Identification Number (EIN) on behalf of another individual?
A person can serve as a third party designee and apply for an EIN on behalf of an individual. Before applying online, the third party must have a completed and signed Form SS-4. The third party must keep the signed Form SS-4 in the company's permanent files. (See step-by-step instructions on the Census Bureau's website at http://www.census.gov/foreign-trade/regulations/roeb_obtaining_an_ein_3rd_party.ppt.

The Internal Revenue Service (IRS) website states that an Employer Identification Number (EIN) is for use in connection with business activity only. It further states, do not use your EIN in place of a Social Security Number (SSN). The information provided by the Census Bureau and the IRS is conflicting.
The IRS publication titled "Understanding Your EIN" located on their webpage (http://www.irs.gov/pub/irs-pdf/p1635.pdf) states that "An EIN is for use in connection with your business activities only. Do not use your EIN in place of your social security number (SSN)." The IRS's intention of this statement is to ensure that individuals do not use their EIN in lieu of their SSN. For example, the IRS does not want an individual who is filing their Federal income tax to use their EIN in place of their SSN. The two numbers are not interchangeable. However, for the purposes of registering or filing in the AES you should use your EIN. While it is not specifically stated, an EIN can be obtained for government reporting purposes even when a person does not own a business. See step-by-step instructions here: http://www.census.gov/foreign-trade/regulations/roeb_obtaining_an_ein.ppt.

Who do I report as the U.S. Principal Party in Interest (USSPI) when goods are formally entered into the U.S., and there is no U.S. entity involved when the goods are to be exported from the United States? [FTR Section 30.3 (b)(2)(iv) and (v)]
If the customs broker or foreign person is listed as the importer of record when entering goods into the United States for immediate consumption or warehousing entry, the customs broker may be listed as the USPPI in the Electronic Export Information if the goods are subsequently exported without change or enhancement.

What are the responsibilities of the U.S. Principal Party in Interest in a standard export transaction? [FTR Section 30.3 (c)(1)]
- Prepare and file Electronic Export Information (EEI) itself or;
- Authorize an agent to prepare and file the EEI on its behalf.
- Provide the authorized agent with accurate and timely export information.
- Provide the authorized agent with a power of attorney or written authorization to file the EEI
- Make a License Determination.
- Retain documentation for five years.

What are the responsibilities of the U.S. Principal Party in Interest (USPPI) in a routed export transaction? [FTR Section 30.3(e)(1)]

- If the Foreign Principal Party in Interest (FPPI) agrees to allow the USPPI to file the EEI, obtain a power of attorney or written authorization from the FPPI.
- Otherwise, provide the U.S. authorized agent of the FPPI with the following information to assist in preparing the EEI:
  - (i) Name and address of the USPPI.
  - (ii) USPPI's EIN.
  - (iii) State of origin (State).
  - (iv) FTZ if applicable.
  - (v) Commercial description of commodities.
  - (vi) Origin of goods indicator: Domestic (D) or Foreign (F).
  - (vii) Schedule B or HTSUSA, Classification Commodity Code.
  - (viii) Quantities/units of measure.
  - (ix) Value.
  - (x) Export Control Classification Number (ECCN) or sufficient technical information to determine the ECCN.
  - (xi) All licensing information necessary to file the EEI for the commodities being exported, or merchandise that is being exported under a license exemption or license exception.
  - (xii) Any information that it knows will affect the determination of license authorization.
- If an authorized agent is filing, upon request, the USPPI may obtain a copy of the electronic export information that was filed on their behalf.
- If the FPPI is assuming licensing responsibility, the USPPI must obtain a writing from the FPPI (See EAR 758.3).
- Retain documentation for five years.

Can a freight forwarder be listed as the USPPI in the AES? [FTR Section 30.3(b)(2)]

Normally, a freight forwarder is not a USPPI. However, a freight forwarder can be listed as the USPPI when:

- Acting as a U.S. order party.
- Acting as the U.S. customs broker and listed as the importer of record when entering goods into the U.S. for immediate consumption or warehousing entry and the goods are subsequently exported without change or enhancement.
- Acting as the U.S. customs broker and formally entering merchandise into the U.S. on behalf of the foreign entity listed as the importer of record.

When should the freight forwarder field be completed in the Automated Export System (AES)?

The filer should be complete this field when an authorized agent is filing in the AES or for licensable shipments that indicate a specific freight forwarder. However, if a USPPI is filing the electronic export information (EEI) for their own shipment, the freight forwarder section would remain blank.

What are the responsibilities of the authorized agent in a standard export transaction? [FTR Section 30.3(c)(2)]

- Accurately prepare and file the Electronic Export Information.
- Obtain a power of attorney or written authorization from the U.S. Principal Party (USPPI) in Interest.
- Retain documentation for five years.
- Upon request, providing the USPPI with a copy of the export information filed in a mutually agreed upon format.

What are the responsibilities of the authorized agent in a routed export transaction? [FTR Section 30.3(e)(2)]

- Obtain a power of attorney (POA) or written authorization from the FPPI.
- Prepare and file the EEI based on information obtained from the U.S. Principal Party in Interest or other parties involved in the transaction.
- Upon request, provide the USPPI with a copy of the POA or written authorization provided by the FPPI.

- Retain documentation to support the EEI reported through the AES.
- Provide the following export information through the AES:
  (i) Date of export.
  (ii) Transportation Reference Number.
  (iii) Ultimate consignee.
  (iv) Intermediate consignee, if applicable.
  (v) Authorized agent name and address.
  (vi) EIN or DUNS number of the authorized agent.
  (vii) Country of ultimate destination
  (viii) Method of transportation.
  (ix) Carrier identification and conveyance name.
  (x) Port of export.
  (xi) Foreign port of unloading.
  (xii) Shipping weight.
  (xiii) ECCN.
  (xiv) License or license exemption information.
- Upon request, provide the USPPI with the data elements outlined in Section 30.3(e).

Can the foreign broker of the Foreign Principal Party in Interest (FPPI) provide a power of attorney (POA) or written authorization in a routed export transaction?
The FPPI may authorize a foreign broker to arrange for the export of goods from the United States by providing them with a POA or written authorization. The foreign broker would then provide a POA or written authorization to a U.S. authorized agent to facilitate the movement of goods and file in the AES. For example, Company A in France has authorized Broker X, through a POA or written authorization, in France to arrange for the export of goods from the U.S. Broker X then authorizes an agent within the United States via a POA or written authorization to move the goods and file the AES.

What are the ultimate consignee types and why is it required data field in the Automated Export System? [FTR Section 30.6(a)(28)]
The ultimate consignee type identifies the type of party the ultimate consignee is. The four ultimate consignee types consist of direct consumer, reseller, government entity, and other/unknown. Reporting the ultimate consignee type is required for export control and enforcement purposes.

(1) Direct Consumer: a non-government institution, enterprise, or company that will consume or use the exported good as a consumable, for its own internal processes, as an input to the production of another good or as machinery or equipment that is part of a manufacturing process or a provision of services and will not resell or distribute the good.
(2) Government Entity: a government-owned or government-controlled agency, institution, enterprise, or company.
(3) Reseller: a non-government reseller, retailer, wholesaler, distributor, distribution center or trading company.
(4) Other/Unknown: an entity that is not a Direct Consumer, Government Entity or Reseller, as defined above, or whose ultimate consignee type is not known at the time of export.

How do I determine which ultimate consignee type to report in the Automated Export System? [FTR Section 30.6(a)(28)]
You are required to select one of the four ultimate consignee types. Your selection should be based on the business function that most often applies. If more than type could apply, report the type that applies most often.

Who is responsible for providing the ultimate consignee type in a routed export transaction? [FTR Section 30.3(e)]
In a standard export transaction, the USPPI is responsible for providing the ultimate consignee type. In a routed export transaction (as defined by FTR Section 30.3(e)(2)(iii)), the authorized agent is responsible for providing the ultimate

consignee. Therefore, the authorized agent will also be required to provide the ultimate consignee type, which describes the business function of the ultimate consignee.

Does the Foreign Principal Party in Interest (FPPI) have to be the party shown on the transportation document to whom final delivery or end-use of the goods will be made? (FTR Section 30.1)
No. The FPPI can either be the party abroad who purchases goods for export or whom final delivery or end-use of the goods will be made. This party may be the ultimate consignee.

Penalties

Who issues penalties for Foreign Trade Regulations (FTR) violations? (FTR Section 30.73)
The U.S. Census Bureau has delegated the authority for enforcing the FTR to the Department of Homeland Security's U.S. Customs Border Protection, and U.S. Immigration and Customs Enforcement, as well as to the Department of Commerce's Office of Export Enforcement. They determine penalties for violations of the FTR. Subpart H of the FTR outlines the penalty provisions.

Where can I find information on penalties for violations of the Foreign Trade Regulations (FTR)? (FTR Sections 30.70 – 30.72)
Sections 30.70 - 30.72, present the penalties that may be imposed for both civil and criminal violations.

1. A *civil penalty* is a monetary penalty imposed on a U.S. Principal Party in Interest, authorized agent, carrier, or other parties to the transaction for violating any part of the FTR.
    a. For late filings: penalties can be up to $1,100 per each day of delinquency or up to a maximum of $10,00 per violation
    b. Other violations: penalties may be up to $10,000 per violation

    Civil penalties imposed under the FTR may be remitted or mitigated, if the penalties were incurred without willful negligence or fraud or other circumstances exist that justify a remission or mitigation.
2. A *criminal penalty* is when any person willfully violates or attempts to violate any part of the FTR. The criminal penalty includes fines not to exceed $10,000, and/or imprisonment for not more than five (5) years, and/or forfeitures.

How do I make a voluntary self-disclosure? (FTR Section 30.74)
The policy and procedures for voluntarily disclosing violations or suspected violations of the Foreign Trade Regulations can be found in Section 30.74 or the Census Bureau's website at http://www.census.gov/foreign-trade/regulations/vsd.html.

Is there a time frame for submitting a Voluntary Self-Disclosure (VSD)?
There is not a timeframe for submitting a VSD. A VSD should be submitted as soon as a company identifies a violation or suspected a violation of the Foreign Trade Regulations. However, the VSD must be received by the Census Bureau prior to the time that the Census Bureau, or any other agency of the United States Government, identify the violation.

Can a Voluntary Self Disclosure (VSD) be a mitigating factor for a penalty received by the Customs and Border Protection (CBP)? (FTR Section 30.74)
Yes. A VSD might be used as a mitigating factor to avoid or reduce possible civil penalties received by CBP. Completing a VSD reflects due diligence in detecting and correcting potential violation(s) of the Foreign Trade Regulations.

Have the filing requirements changed for export shipments that require a Nuclear Regulatory Commission (NRC) license?
The requirement that a shipment must be filed in the Automated Export System prior to export, per 10 CFR 110, remains the same. However, the final rule published on March 14, 2013, now provides clarity on the filing requirements for shipments licensed by NRC. For example, they must be filed predeparture per Section 30.4(a)(9), and file regardless of value per Section 30.2(a)(1)(iv)(E).

What is an Export Control Classification Number (ECCN)?
An ECCN is an alphanumeric classification used in the Commerce Control List (CCL) to identify items for export control purposes. Contact the Bureau of Industry and Security's (BIS) Office of Exporter Services in Washington, DC on (202) 482-4811, their Western Regional Office on (949) 660-0144 or (408) 998-8806 for guidance on determining your ECCN using the CCL.

When is an Export Control Classification Number (ECCN) required in the Automated Export System (AES)?
You must enter the correct ECCN in the AES for licensed, license exception shipments, and for "no license required" (NLR) shipments of items on the Commerce Control List having a reason for control other than or in addition to anti-terrorism (AT). See 15 CFR 758.1(g) (as amended July 10, 2000) for more information.

Do all exported shipments destined for Country Group E:1, require an Automated Export System (AES) filing? [FTR Section 30.16(d)]
Country Group E:1 are terrorist supporting countries and typically require an AES filing. There are some specific shipments that are exempt from AES filing. The exemptions are identified in Section 30.37(y). However, we strongly suggest you contact the Bureau of Industry and Security at 202-482-4811 to confirm. The exemption must not be used if the shipment requires a license.

Do I need an export license to ship my product to a particular market? How do I get a license?
Most goods do not need a license, and these goods should be reported as NLR (No license required) in the AES. Licenses are generally required for high tech or strategic goods or goods shipped to certain countries where national security or foreign policy controls are in place. Various agencies, including the Department of Commerce's Bureau of Industry and Security (BIS) administer export licenses and regulations. You may contact BIS if you need assistance in making a license determination. The BIS can be reached at (202) 482-4811 (Fax: 202-482-3617) on the East Coast, or (714) 660-0144 on the West Coast, or visit their website at http://www.BIS.doc.gov.

I have a shipment that requires a license from a U.S. federal government agency, are there any situations that would exclude me from filing in the Automated Export System (AES)? [FTR Section 30.2(d)(5)]
Yes. Shipments where the ultimate destination is the United States or shipments to international waters where the person/entity assuming control of the shipment is a citizen or permanent resident of the United States are not required to be filed in the AES. However, you must properly annotate your loading documents with the exclusion legend "NOEEI Section 30.2(d)(2)."

Do I need a license to export to Puerto Rico?
No. Shipments to Puerto Rico do not require a license. If the shipment is going through Puerto Rico and the final destination is a foreign country, the exporter must follow the required procedures for obtaining an Export Control Classification Number (ECCN) in order to ascertain whether a license is required for the shipment.

What is the difference between Export Administration Regulations' (EAR99) and No License Required (NLR)?
EAR99 is a classification for an item. It indicates that a particular item is subject to the Export Administration Regulations (EAR), but not specifically described by an Export Control Classification Number (ECCN) on the Commerce Control List (CCL). While the classification describes the item, the authorization for shipment of that item may change, depending on the circumstances of the transaction. NLR stands for the "No License Required" designation. NLR may be used for either EAR99 items, or items on the CCL that do not require a license for the destination. However, exports of an EAR99 item to an embargoed country, an end-user of concern, or in support of a prohibited end-use may require an export license.

Other Compliance Resources
Department of Commerce, Bureau of Industry and Security (BIS), www.bis.doc.gov
Washington, DC Newport Beach, CA San Jose, CA

(202) 482-4811 (949) 660-0144 (408) 998-8806

BIS' Export Administration Regulations (EAR) are available on the BIS website at:
www.access.gpo.gov/bis/ear/ear_data.html

International Trade Administration, Export Assistance Center (800) 872-8723
http://export.gov/index.asp

Department of State, Directorate of Defense Trade Controls (DDTC) (202) 663-2714
http://www.pmddtc.state.gov/

Department of State's International Traffic in Arms Regulations (ITAR) are available at http://www.pmddtc.state.gov/

Department of Treasury, Office of Foreign Assets Controls (OFAC) (202) 622-2490
(Sanctioned countries and trade restrictions)
http://www.treas.gov/ofac

US Customs Border and Protection (CBP) (877) 227-5511
http://www.cbp.gov/

North American Free Trade Agreement (NAFTA) information is located at
http://www.fas.usda.gov/itp/Policy/NAFTA/nafta.asp

Trade Information Center (TIC) (800)872-8723
www.export.gov

Other

What is a Kimberley Process Certificate (KPC)? [FTR Section 30.1 & FTR Section 30.2(a)(1)(iv)(6)]
The KPC is the official document that must accompany any export shipment of rough diamonds. All export shipments that require a KPC for rough diamonds, classified under the 6-digit Harmonized Schedule subheadings 7102.10, 7102.21, and 7102.31, are required to be reported in the AES regardless of value or destination.

Does the Kimberley Process Certificate (KPC) need to be sent to the Census Bureau? [FTR Section 30.7(c)]
The KPC must be faxed prior to exportation to the Census Bureau on (800) 457-7328 or provided by other methods as permitted by the Census Bureau.

What is the definition of a used self-propelled vehicle? [FTR Section 30.2(d)(iv)(H) & 30.6(b)(9)]
The U.S. Customs and Border Protection regulations 19 CFR 192.1 defines used self-propelled vehicles. However, Section 30.6(b)(9) provides clarification and states: "Used" vehicle refers to any self-propelled vehicle where the equitable or legal title to which has been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

Is the exclusion legend required to be annotated on your shipping documentation? [FTR Section 30.7(b)]
Yes. The exclusion legend is required to be placed on the bill of lading, airway bill, export shipping instruction, or other commercial loading documents.

Where should I put my citations if a manifest is not required?
If a manifest is not required, citations should be annotated on the bill of lading, air waybill, export shipping instructions or other commercial loading documents.

What do I report if I cannot identify which portion of the shipment is domestic and which is foreign?

If you are unable to identify which portion of your shipment is domestic and foreign, provide the best estimate.

We have multiple invoices from the same U.S. Company containing the same Schedule B numbers, going to the same foreign buyer, on the same carrier with the same date of exportation. Can these invoices be filed in one AES record?
Yes. One AES record can be filed for multiple invoices. Based on the Foreign Trade Regulations Section 30.1(c), a shipment is all goods being sent from one U.S. Principal Party in Interest, to one consignee, located in a single country of destination, on a single conveyance, and on the same day. You must file Electronic Export Information (EEI) when the value of the goods is over $2,500 per Schedule B or the shipment falls under Section 30.2(a)(1)(iv).

If there are several bookings on one bill of lading, would several Internal Transaction Numbers (ITNs) or exemption citations be required?
Yes, each shipment (as defined in Section 30.1) requires a proof of filing citation, exemption citation, or exclusion citation to be reported on the commercial loading documents.

What is a Transportation Reference Number (TRN)? [FTR Section 30.1(c)]
The TRN is a reservation number assigned by the carrier to hold space on the carrier for cargo being shipped. The TRN is also known as the booking number for vessel shipments; the master air waybill number for air shipments; the bill of lading number for rail shipments and the freight or pro bill for truck shipments.

Is the Transportation Reference Number (TRN) required to be filed in the Automated Export System for all methods of transportation? [FTR Section 30.6(b)(14)]
No. The TRN is only required for vessel shipments.

Why is the reuse of shipment reference numbers prohibited? [FTR Section 30.6(a)(19)]
The shipment reference number cannot be reused because of Automated Export System (AES) limitations. If you reuse the shipment reference number, the AES will override the previous shipment's information.

Are Automated Export System (AES) filings required for shipments destined to international waters? [FTR Section 30.6(a)(5)(i)]
Shipments where the entity assuming the control of the goods in international waters is a foreign entity are required to be filed in the AES. For these shipments, use the export information code "IW".

What is the definition of international waters? (FTR Section 30.1)
International waters are waters outside the U.S. territorial sea, which extends 12 nautical miles measured from the baselines of the United States, and outside the territory of any foreign country, including the territorial waters thereof. Also note, vessels, platforms, buoys, undersea systems, and other similar structures that are located in international waters, but are attached permanently or temporarily to a country's continental shelf, are considered to be within the territory of that country.

For goods that are destined to international waters, who do I report as the ultimate consignee? [FTR Section 30.6(a)(3)]
For non-licensable commodities: The ultimate consignee should be the person, party or designee who physically receives the shipment. In cases where the shipment is sent to a vessel or platform, the ultimate consignee is the person or company assuming control of the items.

For licensable commodities: The ultimate consignee should be the person stated on the license. These shipments must be reported in the Automated Export System regardless of value. Furthermore, if an international waters item is under a Bureau of Industry and Security (BIS) license, filers are required to report: either license code C30 or C31, a valid BIS license number, the Export Control Classification Number (ECCN), and both the country of ultimate destination and ultimate consignee as indicated on the license.

Is Automated Export System (AES) filing required for licensed shipment destined to international waters where a U.S. person is listed as the ultimate consignee? [FTR Section 30.2(d)(5)]

The AES is not required in cases where the person(s) or entity assuming control of the item(s) is one of the following:

(1) Citizen or permanent resident alien of the United States.
(2) Juridical entity organized under the laws of the United States.
(3) Jurisdiction within the United States.

These types of shipments fall outside the scope of the Foreign Trade Regulations. However, you must properly annotate your loading documentation with the exclusion legend "NO EEI Section 30.2(d)(5)."

What transactions are outside of the scope of the Foreign Trade Regulations (FTR) and are excluded from filing Electronic Export Information (EEI)? [FTR Section 30.2(d)]

Transactions that fall outside of the scope of the FTR and are excluded from filing the EEI are located in the Section 30.2(d) and Appendix C.

1. Goods shipped under a Customs and Border Protection (CBP) bond through the United States, Puerto Rico, or the U.S. Virgin Islands from one foreign country or area to another where such goods do not enter the consumption channels of the United States.
2. Goods shipped from the U.S. territories and goods shipped between the United States and these territories do not require EEI filing. However, goods transiting U.S. territories to foreign destinations require EEI filing. The U.S. territories referred to in this section are American Samoa, Baker Island, Commonwealth of the Northern Mariana Islands, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingmen Reef, Midway Islands, Navassa Island, Palmyra Atoll, and Wake Island.
3. Electronic transmissions and intangible transfers. (See FTR Subpart B for export control requirements for these types of transactions).
4. Goods shipped to Guantanamo Bay Naval Base in Cuba from the United States, Puerto Rico, or the U.S. Virgin Islands and from Guantanamo Bay Naval Base to the United States, Puerto Rico, or the U.S. Virgin Islands. (See Subpart D, Section 30.39 for filing requirements for shipments exported to the U.S. Armed Services).
5. Goods licensed by a U.S. federal government agency where the country of ultimate destination is the United States or goods destined to international waters where the person(s) or entity assuming control of the item(s) is a citizen or permanent resident alien of the United States or a juridical entity organized under the laws of the United States or a jurisdiction within the United States.

If a shipping container is sold while outside the customs territory of the United States, how do you file electronic export information in Automated Export System? (FTR Section 30.26)

If the vessel, aircraft, locomotive, rail car, trucks, other vehicles, trailers, pallets, cargo vans, lifts vans, or similar shipping container is outside customs territory of the United States at the time of sale or transfer to foreign ownership, the port of export should be reported as the last port of clearance or departure from the United States prior to sale or transfer. . In addition, the date of export shall be the date of sale and the country of destination shall be the country of new ownership. The country for which the vessel clears, or the country of registry of the vessel, should not be reported as the country of destination in the EEI, unless such country is the country of new ownership.

What are the filing requirements for in-transit shipments through the United States? [FTR Section 30.2(d)(1)]

In-transit shipments of goods from one foreign country to another where such goods do not enter the consumption channels of the United States are excluded from filing the Electronic Export Information (EEI) per Section 30.2(d)(1). Currently, there are no filing requirements for in-transit shipments. For merchandise that is not intended to enter the consumption channels of the United States but that is formally entered via the CB Form 7501 or through the Automated Broker Interface (ABI), an Automated Export System (AES) record must be completed at the time of export if the value is over $2,500 per Schedule B or, regardless of value if a license is required.

If merchandise enters one port on an in-bond movement, is subsequently placed in a bonded warehouse (or Foreign Trade Zone), and is then withdrawn for export, is filing required in the Automated Export System (AES)? [FTR Section 30.2(a)(1)(i)(C)]
Since the goods were placed in a bonded warehouse or foreign trade zone pending export, the shipment must be filed in the AES. By placing the goods in a bonded warehouse or foreign trade zone, there is a break in the in-bond movement and a proof of filing citation or exemption legend is required.

The Foreign Trade Regulations, Section 30.10(b) refers to "shipping documents". What documents are considered "shipping documents"?
Shipping documents include but are not limited to commercial invoices, export shipping instructions, packing lists, bill of ladings and air waybills.

What is the record retention requirement for the Electronic Export Information (EEI)? (FTR Section 30.10)
All parties to the export transaction (owners and operators of the exporting carriers, U.S. Principal Parties in Interest (USPPIs), Foreign Principal Parties in Interest (FPPIs), and/or authorized agents) shall retain documents pertaining to the export shipment for five (5) years from the date of export. In addition, all parties must adhere to other government agencies retention requirements if it differs from the Census Bureau's requirements.

What value should be reported for perishable items that have been imported into the U.S., which are defective, and need to be returned overseas?
For products that are being returned that have a market value, report the market value. If the product has no market value due to poor quality (i.e. spoiled fruits), then report the import value of the product.

What value should be reported in the Automated Export System (AES) for repairs? (FTR Section 30.29)
- *For USML goods:* Report the value of parts and labor in the value field. The value of the original product shall not be included. In the license value field, report the value designated on the export license that corresponds to the commodity being exported.
- *For non-USML goods:* Report the value of parts and labor in the value field. The value of the original product shall not be included. The license value is to remain blank.

How should goods that are replaced under warranty be handled? [FTR Section 30.29(b)]
Report the Schedule B number or HTSUSA classification commodity number of the replacement parts. For non-licensable goods, report the value of the replacement parts in accordance with Section 30.6(a)(17). For licensable shipments, report the value in accordance to Section 30.6(a)(17) and Section 30.6(b)(15). Goods that are replaced under warranty shall include the statement, ''Product replaced under warranty, value for EEI purposes'' on the bill of lading, airway bill, or other commercial loading documents. Place the notation below the proof of filing citation or exemption legend on the commercial document.

Do I need to file for shipments of empty containers if the value is over $2,500? [FTR Section 30.37(v)]
When containers are moving, either loaded or empty, without transfer of ownership or title, in their capacity as carriers of goods or as instruments of such carriers, they are not required to be filed per Section 30.37(v). However, if ownership of such containers is transferred, an AES filing would be required.

Is the carrier subject to a penalty once the U.S. Principal Party in Interest (USPPI) has filed the information in the Automated Export System (AES)? (FTR Section 30.45)
The carrier may be subject to fines and penalties if it does not ensure that a shipment has the required AES proof of filing or exemption/exclusion citation(s). In addition, the carrier must notify the USPPI, or their authorized filing agent, of any changes related to the transportation information. An example would be if the date of export was changed.

Merchandise is presented for entry into the U.S. and is rejected prior to being cleared for importation by Customs and Border Protection (CBP). The goods are subsequently exported to the place of origin or another foreign destination. Is an Automated Export System (AES) filing required? [FTR Section 30.2(d)(1)]
No. The merchandise did not enter the commerce of the United States and as a result, the shipment is not an export.

Who is responsible for providing the proof of filing citation, exemption citation, or exclusion citation to the carrier? [FTR Section 30.7(b) & FTR Appendix D]
The U. S. Principal Party in Interest (USPPI) or the authorized agent is responsible for annotating the proper proof of filing citation or exclusion or exemption legend on the first page of the bill of lading, air waybill, export shipping instructions or other commercial loading documents. The USPPI or the authorized agent must provide the proof of filing citation or exemption legend to the exporting carrier within the timeframe requirements. The AES filing citation, exemption or exclusion legends are provided for in Appendix D.

What is the definition of Household Goods? (FTR Section 30.38)
The Foreign Trade Regulations (FTR) defines household goods as usual and reasonable kinds and quantities of personal property necessary and appropriate for use by the U.S. principal party in interest (USPPI) in the USPPI's dwelling in a foreign country that are shipped under a bill of lading or an air waybill and are not intended for sale. Household goods include, but are not limited to items such as furniture, large and small appliances, kitchenware, electronics, toys, bicycles, clothing, personal adornments, and associated containers. In such cases, Schedule B or HTSUSA commodity classification codes, quantities and the domestic/foreign indicator shall not be required, however an estimated value and shipping weight should be reported

Is Automated Export System (AES) filing required for household goods destined to Canada? (FTR Section 30.36)
No. Household goods destined to Canada do not require an AES filing. The exemption in Section 30.36 may be used unless the item is identified in Section 30.2(a)(1)(iv).

Can I export household goods to my immediate family and use the limited reporting for household goods? (FTR Section 30.38)
No. For Automated Export System filing purposes, household goods are items for use by the USPPI, in the USPPI's dwelling in a foreign country. The household goods limited reporting shall not be used for the USPPI's immediate family's use.

I am shipping five refrigerators to India. Can the limited reporting for household goods be used? (FTR Section 30.38)
The exemption can only be used if the refrigerators are being exported to the USPPI's home in India for their personal use and will not be sold.

How do I report household goods and personal effects in the Automated Export System (AES)? (FTR Section 30.38)
For shipments of household goods, the total value and the shipping weight of the cargo are always required in the EEI. The Schedule B or Harmonized Tariff Schedule of the United States Annotated (HTSUSA) commodity classification codes, quantities, and domestic/foreign indicator are not required. Report the export information code "HH" when reporting household goods.

What are the procedures in a situation when an ocean shipment has received multiple shipping instructions, listing multiple consignees in the same container? (FTR Section 30.1)
The exporting carrier may proceed to load as long as they have an Internal Transaction Number for each shipment from one United States Principal Party in Interest to one ultimate consignee as defined by the Foreign Trade Regulations.

What is a split shipment? (FTR Letter #6)
A shipment covered by a single EEI transmission booked for export on one conveyance that is divided prior to export where the exporting carrier at the port of export will file the manifest indicating that the cargo was sent on two or more of the same conveyances leaving from the same port of export of the same carrier within 24 hours by vessel or 7 days by

air, truck, or rail. If the succeeding parts of the shipment that are not exported within time frames specified above, a new EEI must be filed and amendments must be made to the original AES record.

Are split shipments still restricted to only exports by air? (FTR Section 30.28 & FTR Letter #6)
No. Split shipments apply to all modes of transportation.

Is a shipment that is not split by the carrier considered a split shipment? (FTR Section 30.28 & FTR Letter #6)
No. The Foreign Trade Regulations requires a split shipment to be split by the exporting carrier.

Who can I contact for AES Compliance Seminar information?
Contact the U.S. Census Bureau on (800) 549-0595, option 3 or email ftdregs@census.gov. Seminars are held in locations all over the U.S. Also, please visit the Census Bureau's website for a list of the latest seminars: http://www.census.gov/foreign-trade/aes/meetingsandpresentations/index.html#presentations

Does the U.S. Census Bureau offer additional training other than the AES Compliance Seminar program?
The U.S. Census Bureau offers several different training opportunities in addition to the seminar program. The U.S. Census Bureau provides webinars in both English and in Spanish. The U.S. Census Bureau **also** provides company training upon request. Presentations are geared towards the company's concerns or issues that they would like addressed. To learn more about our upcoming training events, please visit: http://www.census.gov/foreign-trade/aes/meetingsandpresentations/index.html#presentations.

Can a foreign entity file Electronic Export Information (EEI) in the Automated Export System (AES)?
No. An Employer Identification Number (EIN) is required to register as an AES filer. A foreign entity that is in the United States at the time good are purchased or obtained for export shall be listed as the U.S. Principal Party in Interest (USPPI) but must select a U.S. authorized agent to file the EEI on their behalf. The foreign entity's passport number, DUNS number, border crossing number, or any number assigned by Customs and Border Protection shall be reported as the USPPI identification number.