



AES Newsletter



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Automated Export System (AES) Compliance Review Program

In January 2007, the U.S. Census Bureau's Foreign Trade Division will begin the AES Compliance Review program. We plan to visit companies that report export information through the Automated Export System (AES). The goal of the review is to meet and share reporting requirements with companies that have high compliance rates and companies that have areas that need improvement. The focus of the AES Compliance Review program will be the following:

- Identify and develop best practices to ensure compliance and reporting accuracy
- Offer assistance and guidance with AES support, regulations, and product classifications
- Develop export reporting guidelines and procedures with your company
- Learn techniques to improve your exporting methods
- Let us help you get it right the first time
- Avoid costly encounters with government enforcement agencies

We look forward to working closely with you on AES!

**AUTOMATED EXPORT SYSTEM BRANCH
BUREAU OF CENSUS
FOREIGN TRADE DIVISION
WASHINGTON, DC 20233
TEL: (800) 549-0595 FAX: (301) 457-1159**

Did You Know.....

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1. If a foreign company enters goods into the U.S. and the goods are taken to a U.S. Consolidator, the USPPI on the AES filing is the importer of record listed on Customs Form 7501. However, if this person is a foreign entity, the USPPI will be the U.S. resident agent designated by the foreign importer.

2. When you do not have all of the information required to complete an AES filing prior to departure, report estimated information and update that estimated data with the accurate information once it is known.

3. When filing an AES shipment, the Conveyance Name is reported as the vessel name for ocean shipments and the carrier name for other modes of transportation.

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AES Monitoring Reports

AES Compliance Reports

The U.S. Census Bureau monitors and reviews filer's data through the Automated Export System (AES) for quality, timeliness and coverage. The U.S. Census Bureau's Foreign Trade Division, AES Branch reviews the data, sends periodic Compliance Reports and contacts filers as needed.

On each Compliance Report, a compliance rate is calculated for the current statistical month. The compliance rate is calculated by dividing the Number of Compliance Alerts (designated on the report) by the Number of Shipments, subtracted from 100%.

The Compliance Reports will be used to identify companies for the new Compliance Review Program. Please use your AES Compliance Report to identify areas in need of improved reporting. We recommend strongly that you implement measures to prevent identified problem areas.

For Compliance Report details please link to:

<http://www.census.gov/foreign-trade/aes/documentlibrary/aescompliancereport.html>

AES Fatal Error Reports

The AES Branch sends out bi-weekly Fatal Error Reports to filers that have not been successful in meeting their AES filing requirements. Under 15 CFR part 30.64, Automated Export System (AES) filers are required to correct export transactions receiving fatal errors prior to exportation of the merchandise or prior to the tenth day after exportation if the U.S. Principal Party in Interest (USPPI) is approved for post-departure (Option 4) filing. An AES export transaction receiving a fatal error is rejected by AES and no Internal Transaction Number (ITN) is generated back to the filer. Without the ITN, the transaction has not been accepted, and the filer has not met their reporting requirement.

It is the filer's responsibility to ensure that all AES transactions filed receive an ITN.

The report provides a list of Shipment Reference Numbers and the corresponding fatal condition(s) for each of the numbers. Please see next page for instructions on "How To Handle Fatal Errors."



How To Handle Fatal Errors

- Retrieve the transaction using the shipment reference number listed on the report. Fix the problem that is causing the fatal error. Resubmit the transaction again under the same shipment reference number as if you are sending it for the very first time. Wait to receive your ITN from AES assuring that the transaction was accepted.
- If you have already received the ITN for the shipment reference number listed on the report, do not retransmit again unless you have further corrections.

Duplicating a shipment reference number within a five (5) year period will produce an additional fatal error.

- For information on how to resolve fatal errors, please view the following website:
www.census.gov/foreign-trade/redirects/aestir-appendix-a.html
 - Open the “AESTIR Appendix A” document
 - Select EDIT:FIND from the file menu or press CTRL F on your keypad.
 - Type your fatal error code in the text box and click the “FIND NEXT” button.
 - Read the resolution for the response code text to help you fix the error.

If you need assistance with resolving fatal errors, please contact a Census Bureau AES Client Representative by e-mail at ftd.aes.fatal.reports@census.gov or by phone at 800-549-0595 Menu Option 1. When you call, please have available:

- Your company’s 9 digit Filer ID (the ID of the company that entered the export information in AES)
- The Shipment Reference Number(s) you wish to discuss.

WARNING: When a fatal error is received the ITN is not generated. Without the ITN, the transaction has NOT been accepted, and the filer has not met their reporting requirement. Remember: It is the filer’s responsibility to ensure that all AES transactions filed receive an ITN

DO NOT Ignore The Fatal Error Report

If a company continues to be non-compliant with Regulation 30.64 after repeated warnings, it may be **subject to fines, seizures and/or penalties or revocation of its filing privileges in AES for a period of 60 days.**

REMEMBER: When the new Regulations are implemented penalties will increase from \$100/day to \$1,100/day with a maximum of \$10,000 per violation. Penalties can be civil or criminal and carry up to 5 years in jail. Penalties can be assessed against USPPIs, Forwarders/Agents and/or Carriers.

Changes In AES

U.S. Port of Export Codes (Schedule D)

Port of Export codes **ADDED**:

<u>Port Code</u>	<u>Description</u>	<u>MOT</u>
2791	DHL-HUB, Los Angeles, California	Air
3433	Williston Airport, North Dakota	Air
3434	Minor Airport, North Dakota	Air

Foreign Ports of Unlading Codes (Schedule K)

Port of Unlading codes **ADDED**

<u>Port Code</u>	<u>Port Name</u>	<u>Country</u>
57073	Nansha	China
57019	Zhenjiang	China

Port of Unlading Name Changes

<u>Port Code</u>	<u>Port Name</u>	<u>Country</u>
58812	Former: Iyoshima, Iyo Mishima, Mishima	Japan
58812	Current: Mishima Kawano	Japan
57075	Former: Zhanjiang Gang, Zhenjiang, Zhanjiang, Zhangjiagang, Tsamkong	China
57075	Current: Zhanjiang Gang, Zhanjiang, Zhangjiagang, Tsamkong	China

A complete listing of the foreign ports of unlading (Schedule K) is available from the Army Corps of Engineers at:

<http://www.iwr.usace.army.mil/ndc/wcsc/scheduleK/schedulek.htm>

*****AES*PcLink* Users – Please update your AES*Direct* Code Tables*****

4. When your SED information is successfully reported electronically prior to exportation, the Filer's EIN, SSN, or DUNS (Filer ID) followed by a dash (-) and the Shipment Reference Number or the ITN generated by AES is required on the bill of lading, air waybill or other commercial documentation as the AES Proof of Filing Citation.
5. You, the Filer, create the Shipment Reference Number and it must be unique for a period of 5 years.
6. In the following scenario, when a truck carries cargo, from Cleveland to Montreal, Canada, it crosses the U. S. border at Detroit and then the cargo is shipped by vessel from Montreal to Germany: the mode of transportation is truck, the port of export is Detroit and the carrier is the name of the trucking company. (For regulation purposes, our interest is: "By what mode of transportation did the goods leave the US, what US border did the goods cross going into a foreign country and who carried the goods across the border".)
7. Household Goods (Export Information Code: HH) does not require the Commodity Code, Unit of Measure, 1st Quantity, 2nd Quantity and Origin (Domestic or Foreign indicator).
8. The address of the USPPI should be reported as the address from which the merchandise actually began its journey to the port of export. If the USPPI does not own, rent or lease the address facility, the address from which the export was directed is reported.
9. Mandatory AES filing is required for all items identified on the U. S. Munitions List (USML), the Commerce Control List (CCL) that formerly required an SED and Rough Diamonds under the Kimberley Process Certificate.
10. AES Commodity Filing Response Codes and Messages are in Appendix A at the following Customs web link:

http://www.cbp.gov/xp/cgov/export/aes/tech_docs/aestir/june04_intro/appendices/



AES Helpful Tips

Verify Response Codes

If you receive a Verify Message with your shipment, please verify the information you submitted as being accurate. If there is an error please correct and retransmit. If you have verified the information to be accurate, you do not have to retransmit the shipment or call the AES Branch to let a Client Representative know you verified the shipment.

If you frequently receive the same verify response code related to the same Schedule B/HTS Number, a parameter change may be considered. For a commodity parameter change review, please follow the procedure below:

1. Call 1-800-595-0595 select Menu Option 1 or e-mail ASKAES@census.gov
2. Please provide the following:
 - a. Five (5) XTN or ITN examples which occurred within the "same month", with the "same Schedule B/HTS Number" -verified to be correct and received the same Response Code;
 - b. The classification description;
 - c. The corresponding Commercial Invoice for each; and
 - d. The Response Code received.

Note: The review process will take approximately 1 month.

Transmission to and From Puerto Rico

United States to Puerto Rico Shipments

Country of Ultimate Destination Code	- report PR
U.S. State of Origin Code	- report a valid USPS code
Ultimate and Intermediate Consignee Address	- Country Code - report as US - State Code - report as PR; use PR Zip Code

Puerto Rico to United States Shipments

Country of Ultimate Destination Code	- report as US
U.S. State of Origin Code	- report as PR
Ultimate and Intermediate Consignee Address	- Country Code - report as US - State Code - report a valid USPS code and U.S. Zip Code

AESDirect/AESPcLink News And Tips

The *AESDirect/AESPcLink* Overview, *AESDirect* User Guide and *AESPcLink* User Guide have been updated and posted to the *AESDirect* web site.

The Overview contains valuable information on Getting Started with *AESDirect*, SED Data Fields, and General AES Information including key definitions, responsibilities of the parties in the export transaction, and AES contact information. Each of the User Guides provide detailed information on Creating and Sending Shipments to AES; Creating and Using Company Profiles and Templates; Retrieving, Verifying, Updating and Deleting Shipments; AES Responses and that most important AES Proof of Filing Citation. Along the way you will find many Helpful Hints to assist you with your *AESDirect* experience.

Please visit the *AESDirect* web site to view these refreshed documents at:

<http://www.aesdirect.gov/support/userguide.html>

****Tips****

When the Schedule B/HTS number is entered for a commodity line item, the correct Unit of Measure for the specific commodity is automatically populated in the Unit of Measure field. "DO NOT" change the Unit of Measure!

The AES Branch is NOT involved in issuing or re-setting your *AESDirect* User Name, Password or Administrator Code.

For inquires or assistance needed with the above, go to the Support Center at: www.aesdirect.gov or e-mail boc-support@tradegate2000.com or call the *AESDirect* Help Desk on 877-715-4433.

AESPcLink Users Only

At least once a week, go to Tools and update your AES Code Tables.

If you are creating a new shipment, "DO NOT" retrieve an existing shipment and then add the new shipment information--this action will "**Replace**" the previously filed shipment information.

Helpful Export Web Links

The following documents on the Web should be viewed and printed and kept as reference to assist you in keeping in compliance with export regulations.

Examples of AES Proof of Filing Citation, Exclusion and Exemption Legends

<http://www.census.gov/foreign-trade/regulations/ftsrletters/ftsr168-amendment2.pdf>

2006 Schedule B Table Harmonized Tariff Schedule (HTS) and HTS Numbers Not Valid For Export

Schedule B and HTS

<http://www.census.gov/foreign-trade/aes/documentlibrary/index.html#concordance>

HTS Not Valid For Export

<http://www.census.gov/foreign-trade/aes/documentlibrary/hts-not-for-aes.html>

Regulations to use AES for the Reporting of Items on the Commerce Control List or United States Munitions List

Census Bureau Regulation

<http://www.census.gov/foreign-trade/regulations/fedregnotices/fedreg-07172003.pdf>

State Department Regulation

<http://www.census.gov/foreign-trade/regulations/fedregnotices/ITARonAES.pdf>

Advanced Notice and Notice of Proposed Rulemaking that will make AES Mandatory for those Shipments requiring the filing of Export Information

Advanced Notice

<http://www.census.gov/foreign-trade/regulations/fedregnotices/MandatoryAESProgramNotice.pdf>

Notice of Proposed Rulemaking

<http://www.census.gov/foreign-trade/regulations/fedregnotices/fedreg-02172005.pdf>

AES Newsletters

http://www.census.gov/foreign-trade/aes/documentlibrary/index.html#aes_newsletters

Customs and Border Protection Trade Act of 2002 - Required Advance Electronic Presentation of Cargo Information

<http://www.census.gov/foreign-trade/regulations/fedregnotices/ADVANCEFILING.pdf>

Bureau of Industry and Security (BIS) export controls and the Export Administration Regulations and how to use them.

<http://www.bis.doc.gov/ExportLicensingQandA.htm>



Contact Information

Census Call Center 800- 549-0595

If you have questions for the:

AES Branch

Select Option 1

Monday through Friday

7:30am - 6:00pm ET

Fax: 301-457-1159

E-mail: ASKAES@census.gov

Commodity Analysis Branch (Schedule B/HTS classification)

Select Option 2

Monday through Friday

8:00am - 5:00pm ET

Fax: 301-457-1158

Regulations, Outreach and Education Branch

Select Option 3

Monday through Friday

8:00am - 5:00pm ET

Fax: 301-457-3765

E-mail: ftdregs@census.gov

AES Direct Helpdesk

Everyday, 7:00am - 7:00pm ET

Voice: 877- 715-4433

Fax: 301-562-7795

E-mail: boc-support@tradegate2000.com



We need your e-mail address change

Please send changes to your e-mail address to:

ASKAES@census.gov

Include in the message the name of the company and the name of the contact person. This helps us get information to you in a more timely manner

U.S. Customs and Border Protection (CBP) Trade Enforcement And Facilitation

Thomas Fitzpatrick 202-344-2101 thomas.fitzpatrick@dhs.gov

For questions on **ITAR** and **Used Vehicles** contact: Manifest.Branch@dhs.gov

Other Phone Numbers/Website Addresses Bureau of Industry and Security (BIS)

Washington, DC	202-482-4811
Western Regional Office	949-660-0144
Western Regional Office	408-351-3378

Web Sites

BUREAU OF CENSUS, FOREIGN TRADE

U. S. CUSTOMS AND BORDER PROTECTION

BUREAU OF INDUSTRY AND SECURITY

WWW.CENSUS.GOV/TRADE

WWW.CBP.GOV

WWW.BIS.DOC.GOV