



AES Newsletter



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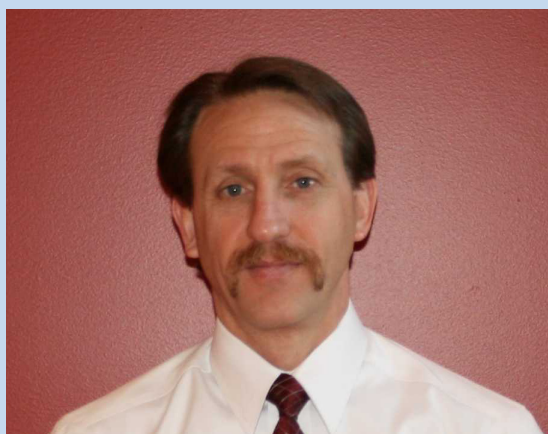
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The New Chief of the Foreign Trade Division (FTD)

The FTD is pleased to announce the selection of Nick Orsini as our new Division Chief effective March 28, 2010.



Mr. Orsini began his career at the U.S. Census Bureau in the FTD in 1988. He most recently served as Assistant Division Chief for Trade Analysis and Dissemination where he was responsible for directing the

production of the U.S. International Trade in Goods and Services report, one of the principal economic indicators for the United States. He was also responsible for overseeing the processing results of millions of import and export transactions each month, developing several innovative data products, and collaborating with other public and private organizations on mutually beneficial projects.

Mr. Orsini holds a bachelor's degree in economics from the University of New Mexico and a master's certificate in project management from The George Washington University. He is also a 2008 graduate from the Excellence in Government leadership program.

Mr. Orsini can be reached by phone at 301-763-6959, by e-mail at nick.orsini@census.gov, and by fax at 301-763-6638.

The Foreign Trade Division (FTD) Global Reach Blog Available for the Trade Community

by Eric Gauthier, Automated Export System Branch (AESB)



New trade trends and regulation changes can affect an export company's operations and business practices. Technology is a useful tool to disseminate new information regarding these trends and regulations. As part of its efforts to keep the trade community informed and up-to-date, the FTD has created and published a new tool—the Global Reach Blog.

In the beginning

The Global Reach Blog went online on January 6, 2010. According to Mr. Kenneth Soo, member of the blog editing committee, the idea to create a blog started after evaluating different options for the FTD to have a presence on social networking media. After looking at the features of the different options, a blog was selected because it was the safest from hacker attacks and the quickest to implement and update.

The goal of the blog

Mr. Soo indicated that the goal for the Global Reach Blog is to supplement the FTD's current outreach programs provided to the trade community at a minimal cost. The blog will cover themes such as trade data, Foreign Trade Regulations (FTR), and export filing on the Automated Export System (AES).

Areas represented

The FTD staff from the Data Dissemination Branch, the Commodity Analysis Branch, and the Special Projects Branch will prepare blog postings that explore the different areas of data published by FTD and how this information affects the business sector and all U.S. citizens.

The Regulations, Outreach, and Education Branch staff receive different questions concerning the FTR on a daily basis. Their blog postings will cover some of the most common and recent situations that cause ambiguity or raise questions among exporters. This blog will also help to resolve these issues.

The AESB staff receives and answers questions on a daily basis from all types of filers—from individuals using the system for the first time to multinational companies. The AESB bloggers will cover issues concerning all filers, including filing on the AES, *AESDirect* and *AESPCLink* software updates, how to solve fatal errors, upcoming compliance seminars, *AESPCLink* workshops, Webinars, etc.

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The Foreign Trade Division (FTD) Global Reach Blog Available for the Trade Community—Con.

The FTD bloggers have covered a variety of themes since its inception. Listed below are the titles of previous posts that have been published:

- o *How to Report Shipments Sent for Repair*
- o *Struggle in Making an AESDirect Password*
- o *A Wealth of Data*
- o *What is Required for Me to Ship Charity Goods to Haiti?*
- o *Renewable Energy, Employment and Foreign Trade*

For the future, the team wants to increase the number of bloggers and blog postings, the number of interagency articles available on the Web site, and promote the blog among the trade community. This way, the trade community can continue to provide feedback to the FTD about their concerns and ideas.

The blog offers posts written for the everyday person. The posts are current and available for comment. Take a break, learn something new, and leave us your feedback at <http://blogs.census.gov/globalreach/>.

New AESPcLink Versions Are Available!

by Rosanna Torres, Automated Export System Branch

The AESPcLink is a software component of the AESDirect Web site filing application. This easy-to-use software allows you to manage Automated Export System (AES) filings locally from any Windows-based desktop. Simply download AESPcLink and login using your current AESDirect account information. Among the advantages of the software are increased storage capabilities, the option for a Spanish interface, and its capability to store shipments before actually connecting to the Internet and submitting through the AES.

We recently released new versions of AESPcLink:

Standard Edition Version 8.1

Network Edition Version 3.0

The new versions of AESPcLink have the following new features:

- **Elimination of the Social Security Number (SSN) as a filer ID type.**

This was done to comply with the Interim Rule of the Foreign Trade Regulations (FTR) effective Dec. 3, 2009, eliminating the SSN as a valid Filer ID type from the AES. See the October 2009 AES Newsletter at http://www.census.gov/foreign-trade/aes/documentlibrary/index.html#aes_newsletters.

- **Link to a “Who's My Administrator” function.**

This can be used to find out who is registered as your company's Account Administrator.

- **New display of account information.**

Under the "Tools" menu, you will now find a summary of your company's account information including, but not limited to, username, password expires timeframe, and filer ID.

- **Password expiration counter.**

This feature is located on the vertical toolbar of the AESPcLink application and displays the number of days until your account password expires. This now allows you to see this information directly in the application.

- **Login attempts counter.**

This feature displays the number of login attempts remaining before the account is locked.

- **Pull-down menu.**

This easy to use pull-down menu now displays the full country name allowing users to select the correct Country of Ultimate Destination.

- **A Warning pop-up for unlikely, sensitive countries of destination.**

This verification pop-up message ensures that you submit the correct Country of Ultimate Destination by asking you to verify that your selection is correct. For example, in the past, filers have inadvertently selected Iran instead of Ireland and do not realize the mistake until a Customs officer verifies the shipment. This new feature helps you avoid any unwanted delays and/or transmissions with incorrect information.

The Suggestions of Automated Export System (AES) Filers Are Truly Valued

by Kelli Craig, Automated Export System Branch

Your feedback from the AES's Customer Service Survey was invaluable. We are always looking for ways to improve your ability to file electronically, which helps to ensure that the U.S. Census Bureau provides the most accurate U.S. export trade statistics data to its customers. Listed below are the *AESDirect* enhancements currently in use because of your recommendations:

- Increased number of templates that can be stored on the *AESDirect* Web site.
- Shares templates company-wide per the filer ID number.
- Provides password assistance using strength-o-meter.
- Equips AES users with the ability to retrieve passwords on their own using preset security questions.
- Makes the look-up features available for more data fields on the *AESDirect* Web site.
- Displays the account administrator's name and contact information on the *AESDirect* Web site's main menu.

Based on survey results, many of your suggestions have been incorporated since the survey's invitation in 2009. For example, the login attempts counter and the password expiration counter (see previous page).

We will continue to consider other suggestions from the survey in order to assist AES filers with the export filing process. Any additional feedback that you may have is always welcome. Please feel free to contact us by e-mail at askaes@census.gov.

Export Management and Compliance

by Omari Wooden, Foreign Trade Division, Trade Ombudsman

Subpart H of the Foreign Trade Regulations (FTR) outlines the penalty provisions for export violations. Violations include, but are not limited to, failure to file Electronic Export Information in the Automated Export System (AES), submission of false or misleading information, and late filing. The U.S. Customs and Border Protection are enforcing these penalties that range from \$1,100 to \$10,000 per violation. The best way to avoid fines and penalties is to understand the FTR and to establish compliance efforts throughout your organization.

As I conduct training around the country, I remind companies of the importance of complying with the FTR and other government exporting regulations. They can accomplish this by developing a compliance program, which includes training, internal monitoring, management commitment, and risk assessment.

Creating or improving an existing compliance program to adhere to export laws and regulations may seem overwhelming, but there are resources available. The Bureau of Industry and Security has created the Core Elements of Effective Export Management and Compliance Program (EMCP). Their program establishes guidelines to help manage export-related decisions and transactions to ensure compliance. The EMCP can help

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Export Management and Compliance—Con.

provide management structure and organization for handling export transactions, create compliance safeguards, strengthen day to day procedures to screen possible violations, and much more.

If you are interested in developing or enhancing your organization's compliance program, visit www.bis.doc.gov and click on "Compliance Program Assistance" located on the left side of the screen. Furthermore, I recommend attending our AES Compliance Conferences to learn more about the requirements of the FTR and the AES. The list of upcoming seminars and locations appears on p. 9 of this newsletter. Additional information can be found on our Web site at www.census.gov.

Exports of Firearms and Related Items

by Kara Eusebio, Bureau of Industry and Security (BIS)

At the Department of Commerce's BIS Web site, we answer many questions about the exportation of firearms. If you find that you have more questions after reading this article, please visit the Foreign Trade Division's Frequently Asked Questions (FAQ) document at www.census.gov/foreign-trade/faq/index.html.

Which agency licenses firearms?

When determining the export licensing requirements for your firearm, you first must determine if your firearm is regulated by the Department of State or the Department of Commerce. BIS has jurisdiction over shotguns with a barrel length of 18 inches or more. Additionally, BIS has jurisdiction over muzzle loading rifles and handguns, air guns, replica firearms, shotgun shells and components, and most optical sighting devices for firearms. The Department of State's Directorate of Defense Trade Controls (DDTC) has jurisdiction over defense articles and services. For example, DDTC has jurisdiction over rifles, handguns, and shotguns with a barrel length of fewer than 18 inches. You can contact DDTC by calling 202-663-2980 or visiting www.pmdtc.state.gov.

How BIS controls firearms related exports

You may need a license to export your firearm under BIS regulations depending on the item and destination. In order to determine this, you need to find the specific Export Control Classification Number (ECCN) for your item. ECCNs are found in the Commerce Control List (CCL) located on our Web site. Shotguns and related items are found in Category "0". Once you have determined that your item is classified under a specific ECCN, you use the information contained in the "Reason(s) for Control" section of that ECCN in combination with the Commerce Country Chart to decide whether a license is required. If there is an "X" in the box for the Reason for Control and destination country, a license is required from BIS, however a license exception may be available. If there is no "X" in the box, a license is not required unless your proposed export is to an embargoed or sanctioned country, to an end-user of concern, or in support of a prohibited end-use, in which case you may be required to obtain a license. You do not have to be a U.S. citizen to submit a license application, but you do need to be in the United States at the time the license application is submitted.

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Exports of Firearms and Related Items—Con.

Some accessories for firearms, such as mounts, bases, or rings may not be listed on the CCL and thus designated EAR99 in the Export Administration Regulations (EAR). EAR99 items generally consist of low-technology consumer goods and do not require a license in many situations. However, there are some circumstances under which EAR99 items still require a license (i.e., if your proposed export is to an embargoed or sanctioned country, to an end-user of concern, or in support of a prohibited end-use).

Exports of shotguns and related items to Canada

A license is required to export shotguns, riflescopes, and related items purchased in the United States as part of the Inter-American Firearms Convention to all Organization of American States member countries, including Canada. A summary of the requirements for such exports to Canada is available on the BIS Web site (see below).

License Exception BAG authorizes a U.S. citizen or a permanent resident alien leaving the United States to export or re-export shotguns and shotgun shells provided that no more than three shotguns are taken on any one trip, the shotguns and shotgun shells must be with the person's baggage (may not be mailed) and must be for the person's exclusive legitimate use. License Exception BAG allows a nonresident alien leaving the United States to export or re-export the shotguns and shotgun shells he or she has brought into the United States under the provisions of the Department of Justice Regulations. See Section 740.14(e) of the EAR for specific requirements in the use of BAG.

For more information on Commerce Export Controls

For more information about exporting firearms and related items under Department of Commerce jurisdiction, please visit www.bis.doc.gov. Click on "Licensing" and select "Firearms FAQs" under the "Frequently Asked Questions" section of the Licensing page. If you would like more information about exporting items under BIS jurisdiction, you may call our Washington, D.C. counseling line at 202-482-4811 or our Western Regional Office (California) counseling line at 949-660-0144.

Is an Automated Export System (AES) Filing Required for Shipments to an Army Post Office (APO) or a Fleet Post Office (FPO)?

by Justin Jenkins, Regulations, Outreach, and Education Branch

Shipments to our servicemen overseas are sent via an APO or FPO address. There are three U.S. Postal Service processing centers in the United States that receive mail and shipments for an APO and FPO address. They are located in New York, San Francisco, and Miami. Therefore, when a United States Principal Party in Interest ships to one of our servicemen, they are shipping domestically for statistical purposes. Domestic transactions fall outside the scope of the Foreign Trade Regulations (FTR) and do not require filing in the AES.

The FTR requires Electronic Export Information to be filed for shipments:

- from the United States to foreign countries,
- between the United States and Puerto Rico,
- from Puerto Rico to foreign countries,
- from Puerto Rico to the U.S. Virgin Islands,
- from the United States to the U.S. Virgin Islands, and
- valued over \$2500 per Schedule B or requiring an export license.

The Department of State does not license shipments to APO or FPO addresses. Shipments licensed by the Bureau of Industry and Security (BIS) that are sent to an APO or FPO address, typically, are eligible for license exception GOV. There are no AES filing requirements for APO and FPO addresses, regardless if the shipment requires a license. For additional information regarding licensable shipments to APO or FPO addresses, please contact the respective licensing agency, the BIS at 202-482-4811, or the Department of State at 202-663-2714.

If you have any questions concerning this or other issues related to the FTR, please contact the U. S. Census Bureau, Foreign Trade Division, Regulations, Outreach, and Education Branch, at 800-549-0595, menu option 3, or by e-mail at ftdregs@census.gov.

New Schedule B Commodity Search

by Carol Aristone, Commodity Analysis Branch

In order to assist exporters and filers in determining their correct export commodity code (Schedule B number), the Foreign Trade Division (FTD) provides a Schedule B search tool. In an effort to better assist exporters in classifying their products, and to provide more accurate trade statistics, the FTD will soon make available an improved commodity search tool. The new search tool provides a smarter, more intuitive, and more accurate way to classify products.

Although every physical product is classifiable in the Schedule B nomenclature, not every item can be classified using the current, keyword-based search. This, along with ever more complex and diverse products, makes determining the correct export classification code difficult and can lead to the misclassification of exports.

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New Schedule B Commodity Search—Con.

The new search engine understands and interprets common commercial product information, and it interacts intelligently and intuitively with users to eliminate classification complexity. We hope the new search engine will cut down on the time it takes to classify products and provide more accurate and consistent results that ultimately will improve the quality of trade statistics.

The new search engine is currently on trial and is available at www.census.gov/foreign-trade/schedules/b/#search. It will be fully implemented once the old search engine is retired on April 30, 2010.

Interested in Attending an AES Compliance Conference?

The tentative schedule for 2010 is as follows (specific dates to be announced):

April 26–27	Portland, OR
April 28–29	Salt Lake City, UT
May 2010	San Juan, PR
June 16–17	Philadelphia, PA
June 22–23	Kansas City, MO
September 2010	Odessa, TX



For updates, details, and registration forms, please visit www.census.gov/foreign-trade/aes/meetingsandpresentations/index.html.



Fatal Error Reports are sent twice monthly!!!

Ensure that your AES account e-mail and contact information are current so that you will receive your report detailing all outstanding fatal errors.

*****WARNING*****

If these errors are not addressed promptly, you are in **violation** of the Foreign Trade Regulations and your account is in jeopardy of **deactivation**.



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@tradegate2000.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.–6:30 p.m. ET (new hours)

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.–7:30 p.m. ET

Fax: 301-763-4962

E-mail: ftd.scheduleb@census.gov

Regulations, Outreach, and Education Branch, Menu Option 3

Monday through Friday

8 a.m.–7:30 p.m. ET (new hours)

Fax: 301-763-4610

E-mail: ftdregs@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

Bureau of Industry and Security (BIS)

Help Desk, Washington, DC

Western Regional Office, Los Angeles/Newport Beach, CA

Western Regional Office, San Jose, CA

202-482-4811

949-660-0144

408-351-3378

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Contact Information—Con.

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

Global Reach Blog

<http://blogs.census.gov/globalreach/>

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.pddtc.state.gov

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

www.treas.gov/offices/enforcement/ofac