WESCCON 2014

Complying with the Foreign Trade Regulations

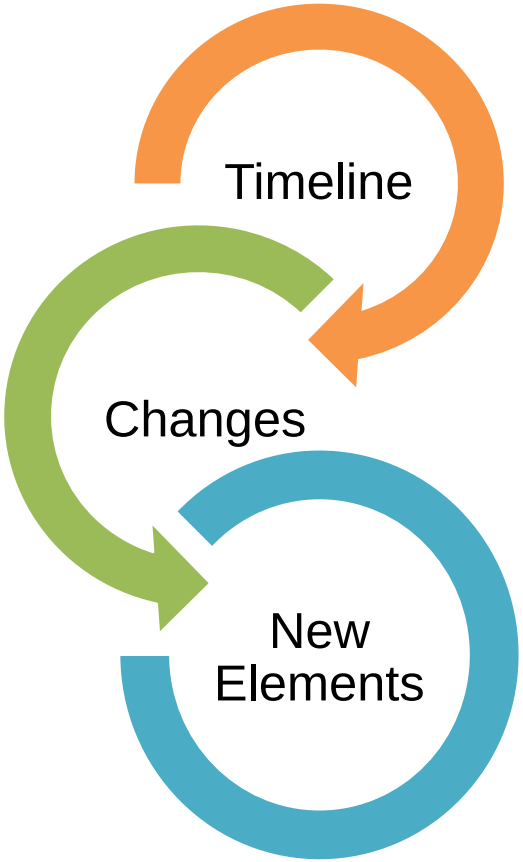
Omari Wooden
Assistant Division Chief,
Regulations and Outreach
International Trade Management Division

United States Census Bureau
U.S. Department of Commerce
Economics and Statistics Administration
U.S. CENSUS BUREAU

Today's Topics

- Updates to the Foreign Trade Regulations (FTR)
- Advanced Export Information (AEI) Pilot Update
- International Trade Data System (ITDS)
- Census Reorganization
- Outreach & Training

REGULATIONS



Regulatory Timeline

- Published Rule revising the Foreign Trade Regulations (FTR) March 14, 2013
- FTR Letter #7 Mandatory filing for exports identified in the EAR October 17, 2013
- FTR Letter #8 Implementing the 180 day Informed Compliance Period - April 3, 2014
- Final Rule Implemented - April 5, 2014
- Enforced Compliance - October 2, 2014

Major Changes to the FTR

- Split shipments
- Carnet and TIBs
- Used Vehicles
- New AES data fields
  - License Value
  - Ultimate Consignee Type

Split Shipments

- Revised Definition
  - A shipment booked for export that is divided by the carrier in two or more shipments by the same mode of transportation from the same port within 24 hours.

- Revised after the Final Rule Publication
  - For vessel cargo – 24 hours
  - For air, truck and rail cargo – 7 days

Details found in FTR Letter #6

Carnet and Temporary Import Bonds (TIB) Update

- Revised FTR
  - 30.37(Q) Temporary exports, except those that require licensing, whether shipped or hand carried, (e.g. carnet) that are exported from and returned to the United States in less than one year from the date of export.
  - 30.37 (R) Goods previously imported under a Temporary Import Bond for return in the same condition as when imported including: goods for testing, experimentation, or demonstration…

BOTH EXEMPTIONS HAVE BEEN REINSTATED

Used Self-Propelled Vehicles

- Must be filed in the AES regardless of value or country of destination, including Canada
- Must be filed 72 hours prior to export

Data Elements Added

Mandatory

- Ultimate Consignee Type
  - Direct Consumer
  - Government Entity
  - Reseller
  - Other/Unknown

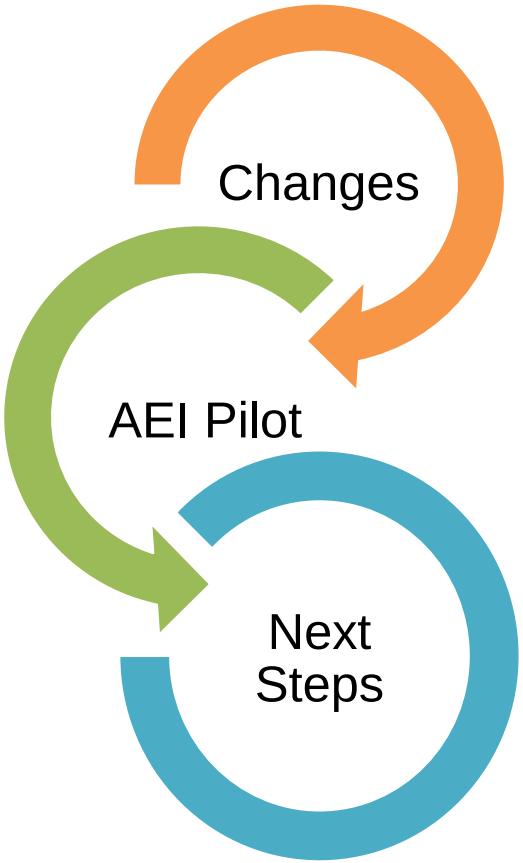
Conditional

- License Value

Ultimate Consignee Type

- 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 as machinery or equipment that is part of a manufacturing process or a provision of services and will not resell or distribute the good
- Government Entity
  - Government-owned or government-controlled agency, institution, enterprise or company
- Reseller
  - Non-government reseller, retailer, wholesaler, distributor, distribution center or trading company
- 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

POSTDEPARTURE REPORTING



Advanced Export Information (AEI) Pilot Program

- Postdeparture Filing
  - Time frame reduced from 10 calendar days to 5 calendar days
  - The moratorium on new applications will continue

- Advanced Export Information
  - Federal Register Notice published on January 31, 2014
  - Allows exporters to submit only 10-12 data elements prior to departure
  - Received applications from numerous exporters interested in participating
  - Response letters were sent out at the beginning of August

Advanced Export Information (AEI) Pilot Program

Mandatory AEI Data Elements

(1) USPPI and USPPI identification
(2) Ultimate consignee.
(3) Commodity classification number.
(4) Commodity description.
(5) Port of export.
(6) Date of export
(7) Carrier identification.
(8) Conveyance name/carrier name.
(9) License code/license exemption code.
(10) Shipment reference number.

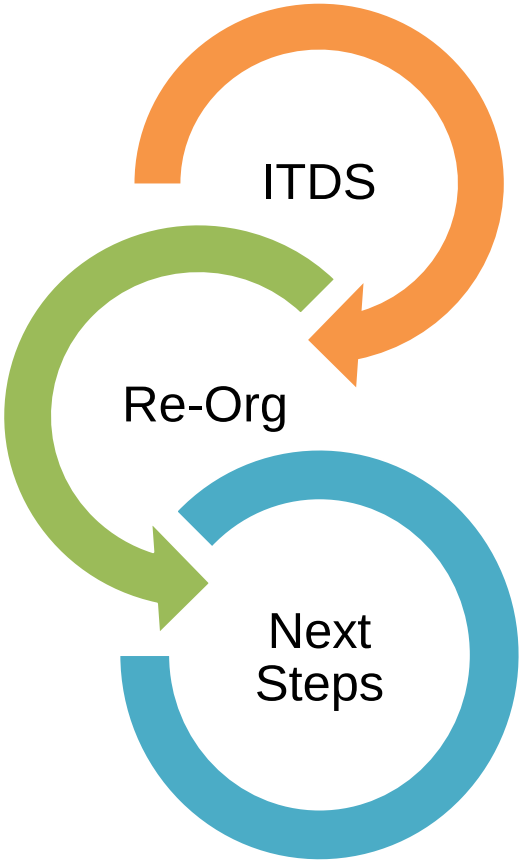
Conditional AEI Data Elements

(1) Authorized agent's identification number (if an authorized agent is used to prepare and file the EEI).
(2) Export Control Classification Number (ECCN).

Advanced Export Information (AEI) Pilot Program

- Over 80 companies accepted into the pilot
- AES Data Elements
  - Filing Option Indicator: 3 = Advanced Export Information, partial of complete commodity shipment filing
  - AEI Filing Type:
    - P = Partial predeparture;
    - F = Full postdeparture
- Testing process moving into Production
- Next steps

OTHER CHANGES



International Trade Data System (ITDS)

- Security and Accountability of Every Port Act of 2006 (Safe Port Act)
  - Mandated the creation of a “single window” through which businesses will transmit data required by participating agencies for the importation or exportation of cargo
- Executive Order - Streamlining the Export/Import Process for America’s Businesses
  - Directs federal agencies to complete development of an electronic “single window” by December 2016
- Benefits
  - Reduces costs associated with moving goods in and out of the country
  - Harmonizes requirements
  - Reduces redundancy
  - Increases percentage of entries with complete and accurate information

Census Reorganization - Changes

- Foreign Trade Division officially became the International Trade Management Division
- Regulations, Outreach and Education Branch has become the Trade Regulations Branch
- Trade Outreach Branch is a newly formed branch supporting training and education for the trade community
- Automated Export System Branch has become the Data Collection Branch
- Dissemination of the FT-900 U.S. International Trade in Goods and Services Report has moved to the Economic Indicators Division

Contact information and emails will remain the same

OUTREACH AND TRAINING

Outreach and Training

Export Compliance seminars

- **Full day training for exporters covering topics of reporting requirements, export regulations, classification assistance and enforcement issues**

Domestic/International trade shows

- **Partnership with trade promotion agencies to provide real time training and expertise to help businesses expand abroad**

Training Federal Agencies

- **Provide training to Customs at the port of export**
- **Create awareness of Census' role with international trade**

19

Trade Webinars

Go Global

- **11-part webinar series in partnership with multiple government agencies to consolidate trade resources for US businesses**

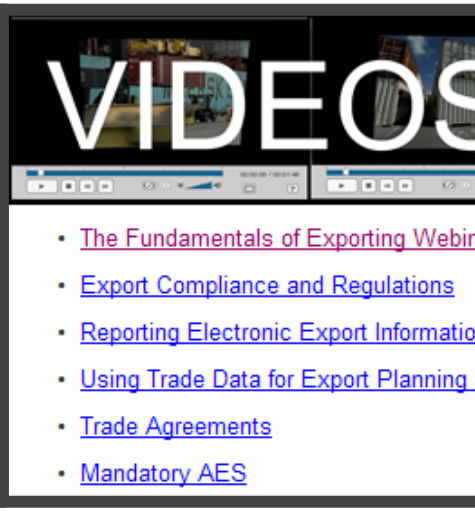
FTR Town Hall

- **Webinar series solely focused preparing the trade community on the changes to the FTR**

Basics of Export compliance Summer Series

- **6-part webinar series with Census, BIS, State and OFAC**

OUTREACH AND TRAINING



- Export training videos
- Webinars
  - http://www.census.gov/foreign-trade/outreach/
- Global Reach Blog
  - http://globalreach.blogs.census.gov

International Trade Help Line

Call Us: (800) 549-0595

• Automated Export System	Opt. 1	askaes@census.gov
• Commodity Analysis	Opt. 2	ftd.scheduleb@census.gov
• Regulations	Opt. 3	ftdregs@census.gov
• Data Dissemination	Opt. 4	ftd.data.dissemination@census.gov

Secure Fax: 301-763-8835

Website: www.census.gov/trade

Blog: http://globalreach.blogs.census.gov/