



**Notice to U.S. Customs and Border Protection (CBP) Headquarters, Port Directors,
Department of Commerce District Offices, U.S. Principal Parties in Interest, Freight
Forwarders, Authorized Agents, Exporting Carriers, and All Others Concerned**

From: William G. Bostic, Jr.
Chief, Foreign Trade Division

Subject: Mandatory Automated Export System (AES) Filing for all Shipments
Requiring Shipper's Export Declaration (SED) information

The U.S. Census Bureau has issued the final rule implementing provisions in the Foreign Relations Authorization Act, Public Law 107-228. This rule was published in the *Federal Register* on June 2, 2008, amending Title 15, Code of Federal Regulations, Part 30, Foreign Trade Regulations (FTR) in its entirety. Effective July 2, 2008, the Census Bureau is requiring mandatory filing of export information through the Automated Export System (AES) or through the *AESDirect* for all shipments where a Shipper's Export Declaration (SED) is required. We are also providing the trade an additional 90 days to implement these new requirements. After the 90-day implementation period, which ends September 30, 2008, you must file your export information electronically through the AES or *AESDirect*.

Additionally, these new regulations have tougher penalty provisions that affect everyone in the export process. Penalties may be imposed per violation of the FTR from \$1,100 to \$10,000 both civil and criminal, for the delayed filing, failure to file, false filing of export information, and/or using the AES to further any illegal activity. Also, all AES filers are faced with new filing deadlines by mode of transportation for reporting export information. It is important that you understand these new requirements so that you avoid the increased penalties and seizure of your commodities.

The Census Bureau has instructed filers of export information to make every effort to submit these data via the AES or *AESDirect* to eliminate the use of paper SEDs immediately. During the 120-day implementation phase, the Census Bureau will use "informed compliance" to outreach to filers identified in violation of the FTR. Anyone submitting paper after September 30, 2008 will be in violation of the FTR and subject to penalties.

The Census Bureau can assist you in understanding the new FTR and filing export information electronically through the AES. You may call 1-800-549-0595 with any questions you may have regarding the FTR or AES. We encourage you to attend, "The AES Compliance Seminars," or the "*AESPeLink* Certification Workshops" offered in various cities in the United States. To find out more about these seminars and workshops, visit our Web site at www.census.gov/trade. Additionally, we offer *AESDirect*, the free Internet-based application for companies that register on-line at the following Web site www.aesdirect.gov.

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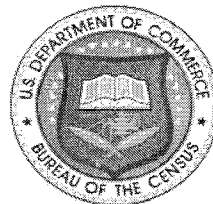
New Export Regulations

As of July 2, 2008 in accordance with Title 15, Part 30, Foreign Trade Regulations (FTR), Shipper's Export Declarations (SED) must be filed electronically via the Automated Export System (AES). Prior to crossing the border, you must have an Internal Transaction Number (ITN) generated from the AES as proof of filing the required export information. You will have until September 30, 2008 to comply. In accordance with the FTR section 30.71(a)(1), any person or entity, including **U. S. Principal**

Party in Interests (USPPIs), authorized agents, or transportation carriers (truck, rail, vessel, or air), who knowingly fails to file or knowingly submits, directly or indirectly, to the United States Government false or misleading export information through the AES, shall be subject to a fine not to exceed \$10,000 or imprisonment for not more than five years, or both, for each violation.

File Shipper's Export Declaration information free. Register at www.aesdirect.gov.

For questions, please call 1-800- 549-0595.



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