



U S CUSTOMS AND BORDER PROTECTION

Area Port of Jacksonville

PUBLIC BULLETIN

NUMBER: 2008-JAX-012

ISSUE DATE: June 19, 2008

FILE: TRA-1-0F0:APD:JAX:CBM

SUBJECT: Automated Export System

Effective July 2, 2008 the U.S. Census Bureau (Census) will require mandatory filing of export information through the Automated Export System (AES) or through *AESDirect* for all shipments where a Shipper's Export Declaration (SED) has been required. Census published the final rule in the *Federal Register* on June 2, 2008 amending Title 15, Code of Federal Regulations, Part 30, Foreign Trade Regulations (FTR) in its entirety.

The impact on Customs and Border Protection (CBP) is as follows: (1) paper SEDs will not be accepted; (2) the timelines provided for in the Trade Act of 2002 will apply to the advance filing of export information filed in the AES or *AESDirect*; and (3) CBP is delegated authority to enforce new penalty provisions for violations of the FTR.

Although the new regulations will be in force on July 2, 2008, Census is providing the trade an additional 90 days to implement these new requirements. During the 90 day implementation phase, Census will still accept paper SEDs but use "informed compliance" through letters, company visits, conferences, workshops, etc., to outreach to filers identified in violation of the FTR

The most significant change to the FTR is that paper SEDs will no longer be accepted beginning September 30, 2008. Exporters will be required to file export information electronically through the AES or *AESDirect*. *AESDirect*, an Internet-based application, is offered free of charge by Census for companies that register on-line at the following website <www.aesdirect.gov>. Census is instructing filers of export information to make every effort to submit data via the AES or *AESDirect* to eliminate the use of paper SEDs immediately.

The regulations (15 CFR 30.4) call for the electronic export information (EEI) to be filed in AES or *AESDirect* according to specific timeframes. For non-USML shipments, the U.S. Principal Party in Interest (USPPI) or authorized agent must file the EEI as required by §30.6 and provide the filing citation or exemption legend to the exporting carrier as follows:

- for vessel cargo, 24 hours prior to loading cargo;
- for air cargo, including express carriers, no later than two hours prior to the scheduled departure time of the aircraft;
- for truck cargo, no later than one hour prior to the arrival of the truck at the U.S. border to go foreign;
- for rail cargo, no more than two hours prior to the time the cargo arrives at the border to go foreign;

- for mail and cargo shipped by other means, other than pipeline exports, no later than two hours prior to exportation;
- for pipeline exports, within four days following the end of each calendar month;
- for post departure-filing, by approved USPPIs, no later than ten calendar days from the date of export

Filing requirements for USML shipments can be found in the International Traffic in Arms Regulations (ITAR) (22 CFR 120-130), §123.22.

If you have questions concerning these new regulations, please contact:

In the Area Port of Jacksonville: AAPD Douglas Straatsma (904) 360-5029

Richard Quinn

Richard Quinn
Area Port Director