

Export Update

Moderator:

Tia Sandberg, Compliance Manager, Total Logistics Resource

Panelists:

Omari Wooden, Senior Foreign Trade Advisor, Census

Tirrell McKnight, Outreach Western Regional Office, BIS

Peter Russell, Program Manager, CBP





The Mission of the U.S. Census Bureau and Foreign Trade Regulations Update

Omari S. Wooden
Assistant Division Chief
Data User and Respondent Outreach
U.S. Census Bureau



Agenda Topics

- US Census Bureau Statistics
- Update on the State of Origin Data Collection
- Update on the Proposed Country of Origin Data Element
- Ultimate Consignee Global Reach Blogs





U.S. Census Bureau Statistical Releases





FT-900 International Trade in Goods and Services Report

FOR RELEASE AT 8:30 AM EDT, WEDNESDAY, SEPTEMBER 6, 2023

U.S. INTERNATIONAL TRADE IN GOODS AND SERVICES, JULY 2023

Release Number: CB 23-140, BEA 23-40

September 6, 2023 — The U.S. Census Bureau and the U.S. Bureau of Economic Analysis announced today that the goods and services deficit was \$65.0 billion in July, up \$1.3 billion from \$63.7 billion in June, revised.

U.S. INTERNATIONAL TRADE IN GOODS AND SERVICES DEFICIT		
Deficit:	\$65.0 Billion	+2.0%°
Exports:	\$251.7 Billion	+1.6%°
Imports:	\$316.7 Billion	+1.7%°
Next release: Thursday, October 5, 2023		
(*) Statistical significance is not applicable or not measurable. Data adjusted for seasonality but not price changes.		
Source: U.S. Census Bureau, U.S. Bureau of Economic Analysis; U.S. International Trade in Goods and Services, September 6, 2023.		



Exports, Imports, and Balance (Exhibit 1)

July exports were \$251.7 billion, \$3.9 billion more than June exports. July imports were \$316.7 billion, \$5.2 billion more than June imports.

The July increase in the goods and services deficit reflected an increase in the goods deficit of \$2.0 billion to \$90.0 billion and an increase in the services surplus of \$0.7 billion to \$25.0 billion.

Year-to-date, the goods and services deficit decreased \$128.3 billion, or 21.4 percent, from the same period in 2022. Exports increased \$27.3 billion or 1.6 percent. Imports decreased \$101.0 billion or 4.3 percent.



FOR RELEASE AT 8:30 AM EDT, WEDNESDAY, APRIL 5, 2023

A PROFILE OF U.S. IMPORTING AND EXPORTING COMPANIES, 2020-2021

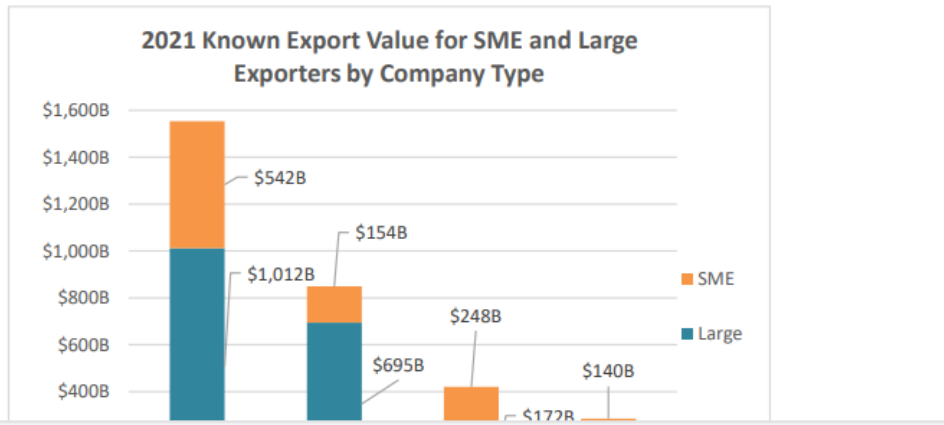
Release Number: **CB23-0207**

The U.S. Census Bureau, Department of Commerce, releases the report, *A Profile of U.S. Importing and Exporting Companies, 2020 - 2021*. This report provides information on identified U.S. companies and their known export or import value. Identified companies are enterprise-level companies that were successfully linked from import or export transaction records to the 2021 Business Register. The known export or import value is the dollar-value of export or import transactions linked to these identified companies. Using the information from the Census Business Register, this report details trade data by various company characteristics of U.S. exporting and importing companies. For the full report or to view the explanatory notes on how these statistics are gathered and compiled, go https://www.census.gov/foreign-trade/Press-Release/profile_index.html

Exports

The 2021 identified U.S. exporting companies (“exporters”) accounted for a known export value of \$1,554 billion, or 88.6 percent of the total value of exported goods in 2021 (\$1,754 billion). This is an increase of 21.7 percent from the 2020 known export value of \$1,277 billion.

Large exporters accounted for over 65 percent (\$1,012 billion) of the known export value, while small- and medium-sized enterprises (SME) accounted for the remaining \$542 billion. Large exporters accounted for 81.9 percent of exports by *Manufacturers*, 41.0 percent by *Wholesalers*, and 50.9 percent by *Others*.



Profile of US Importing and Exporting Companies



USA Trade Home --> Data Source Selection --> Report Contents --> **Report** --> Chart

View as: **Table** Chart Email report definition...

Standard Report - Exports
 Author: U.S. Census Bureau: Economic Indicators Division USA Trade Online. Source: U.S. Import and Export Merchandise trade technical documentation.
 Current date: 12/11/2020 5:12 PM (Eastern Standard Time)
 Measures: Value (\$US)

◆ ◆ Rows 1-18 of 18 ◆ ◆ Columns 1-4 of 4

Country	Australia	Canada	New Zealand	United Kingdom
Time				
2003	13,087,602,344	169,923,671,745	1,847,707,506	33,827,929,642
2004	13,957,900,450	189,879,866,338	2,072,881,798	35,901,658,238
2005	15,588,519,677	211,898,689,378	2,592,076,963	38,568,083,046
2006	17,545,739,796	230,656,013,599	2,806,165,775	45,410,106,533
2007	19,178,197,903	248,888,144,575	2,717,562,746	49,981,491,297
2008	22,218,649,074	261,149,833,516	2,533,906,801	53,599,069,711
2009	19,599,303,927	204,657,955,218	2,158,504,659	45,703,598,254
2010	21,804,647,444	249,256,4		
2011	27,626,182,324	281,291,5		
2012	31,161,378,813	292,650,5		
2013	26,123,737,344	300,754,8		
2014	26,681,740,360	312,816,9		
2015	25,032,402,498	280,855,1		
2016	22,144,768,326	266,734,4		
2017	24,519,261,608	282,773,8		
2018	25,333,619,445	299,731,7		
2019	25,990,091,579	292,633,0		
2020 through October	19,552,523,218	209,739,1		

Global Market Finder: An Interactive Tool for U.S. Exporters

JULY 07, 2020

Year: 2019

Global Market Finder

An Interactive Tool for U.S. Exporters

Find your Schedule B commodity code Choose a commodity code: ALL Choose a Country: (All)

Map **Time Series** **Methods of Transportation** **Unit Price**

U.S. EXPORTS OF ALL COMMODITIES, 2019

International Trade Data Tools – Global Market Finder and USA Trade Online



Foreign Trade Regulations Update





Office of Management and Budget Clearance for Continued Collection of Data in the AES Program

- November 18, 2022 – 60-day Presubmission Statement that gives the public an opportunity to comment
- February 6, 2023 – A 30-day Presubmission Statement that gives the public an additional opportunity to comment
 - Improves the reporting of export information
 - Describes the primary Census use of the data being the publication of the balance of trade figures
 - Increases compliance with export laws and regulations
 - Gives examples of how other agencies use the data
 - Requires the Census Bureau to share any potential data collection requirements
- April 28, 2023 – OMB Clearance for the AES Program Approved



State of Origin/USPPI Address State Evaluation

- December 2019 – Comment received to AES Data Collection Program Authority
 - The State of Origin and USPPI Address State are duplicate data elements
 - The result is unnecessary burden and confusion to the US Export Trade Community
- In 2020 and 2021,
 - Census thoroughly examined the definitions in the FTR of each data element
 - Census contacted the top USPPIs whose State of Origin and USPPI Address State did not match - 12% of EEI Records where states did not match
 - Census further evaluated the statistical/enforcement needs of both data elements



State of Origin/USPPI Address State Evaluation

- June 30, 2022 – Census issued Broadcast Notice reiterating that both data elements had similar definitions
- December 22, 2022 – Census issued Broadcast Notice that an Informational Message will be forthcoming when the states do not match
- February 7, 2023 – Census and CBP deployed in AES an Informational Message when the State of Origin and the USPPI Address State do not match
 - Informational Message 26C - AESTIR Appendix A at <https://www.cbp.gov/trade/aes/aestir/appendices>
- Analysis is ongoing to determine if the State of Origin and USPPI Address State are redundant AES Data elements

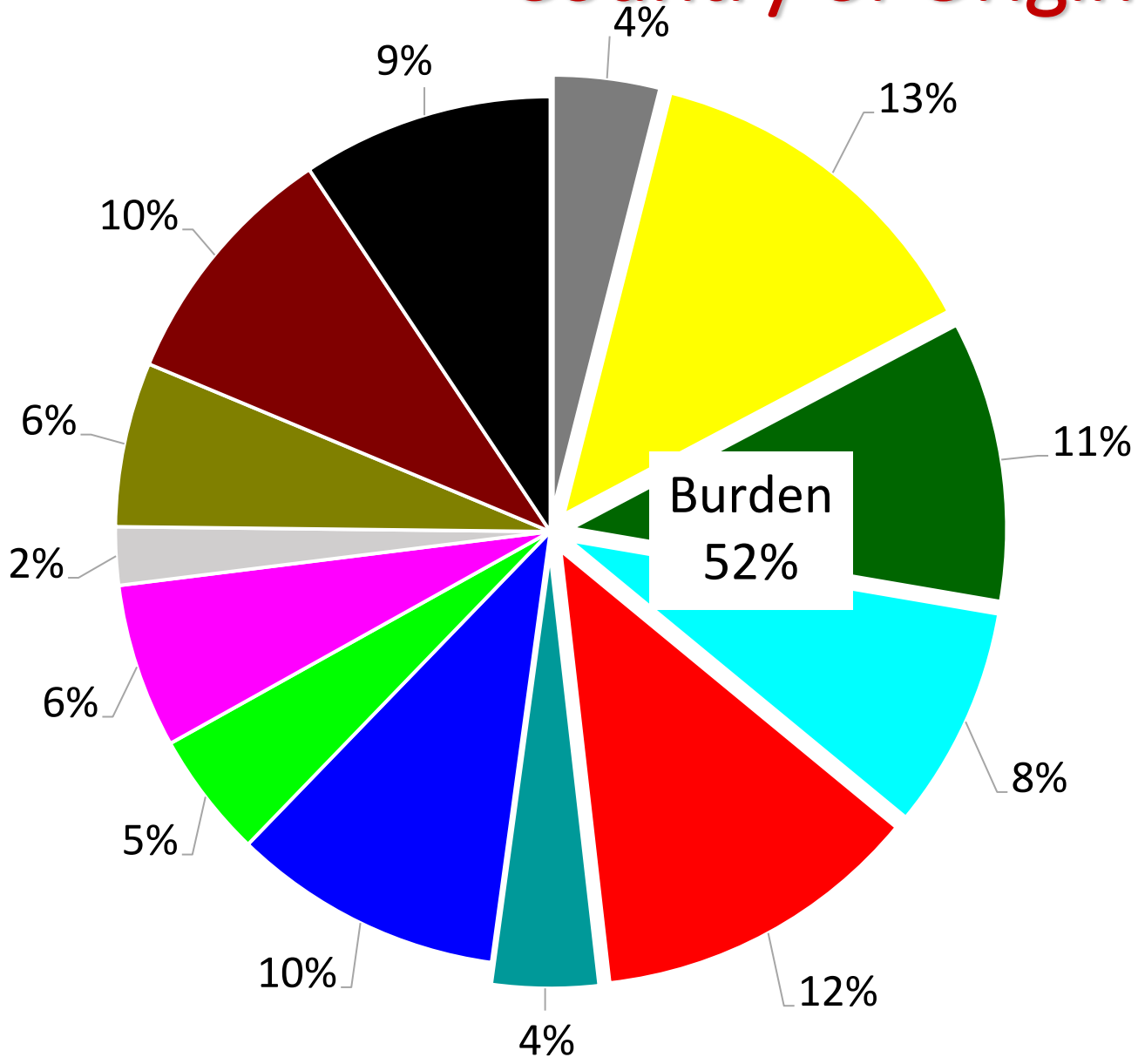


Country of Origin NPRM Status

- Proposing to add a conditional data element, country of origin, when foreign origin is selected in the Domestic/Foreign Indicator
- Would improve statistics on distinct foreign supply chains involving re-exported goods from the U.S. and the role of re-exports in the U.S. economy
- Published in Federal Register on December 15, 2021
- Public comment period ended on February 14, 2022
- Reviewing feedback and working with leadership to determine next steps



Country of Origin Comments



- Burden - General Statement
- Burden - Filing Procedures/System and Workforce/Workload
- Burden - Time
- Burden - Financial Cost
- Burden - Inventory Management/Tracking Systems
- Burden - Education/Training
- Errors are Likely/Poor Data
- Could Implement/In Agreement/Have the Data
- Definitions - What will it be/How it's interpreted (penalties)/Differences
- Clarification - Determining Foreign/Domestic
- Clarification - Determining When and How to File
- Will Not Support the Goals Described/Disagree with Justification for Rule
- Suggestion



Ultimate Consignee Global Reach Blog

GLOBAL REACH

The Official International Trade Blog of the U.S. Census Bureau

Global Reach Blog

Global Reach Blog - Part II: Who Is the Ultimate Consignee?

October 11, 2023

Part II: This Global Reach Blog describing how to report the Ultimate Consignee on the Electronic Export Information (EEI) in the AES.



Global Reach Blog

Who Is the Ultimate Consignee? Part I

September 07, 2023

The U.S. Census Bureau's Trade Regulations Branch regularly receives questions regarding who the Ultimate Consignee is in an export transaction.



Ultimate Consignee [FTR 30.6(a)(3)]

- The person, party, or designee located abroad and actually receives the export shipment
- Report the Ultimate Consignee as known at the time of export.
- Licensed shipments shall be the person designated on the export license
- For goods sold en route
 - Report “To be Sold En Route” indicator
 - Correct EEI as soon as known



Intermediate Consignee [FTR 30.6(b)(2)]

- The name and address of the intermediate consignee (if any) shall be reported.
- The intermediate consignee acts in a foreign country as an agent for the principal party in interest or the ultimate consignee for the purpose of effecting delivery of the export shipment to the ultimate consignee.
- The intermediate consignee is the person named as such on the export license or authorized to act as such under the applicable general license and in conformity with the EAR.



Voluntary Self Disclosure

- Type of violation
- Explanation of when and how the violations occurred
- List all individuals and organizations (foreign & domestic) related to the violations
- A description of any mitigating circumstances
- Number and value of shipments affected
- Corrective measures
- Corrected or filed shipments



Send by email to
emd.askregs@census.gov
or by secure fax to
301-763-8835

International Trade Call Center (800-549-0595)



Automated Export System

Option 1

askaes@census.gov

Classification Assistance

Option 2

Eid.scheduleb@census.gov

Trade Regulations Branch

Option 3

emd.askregs@census.gov

Data Dissemination

Option 4

Eid.international.trade.data@census.gov

Outreach

Option 5

emd.outreach@census.gov

Questions?





THANK YOU





Complying with US Export Controls Brokers and Freight forwarders

Tirrell McKnight

Export Administration Specialist

Bureau of Industry and Security (BIS)

WESCCON

2023





Why EAR compliance is relevant to freight forwarders?

- Helps prevent US products/technology from going to restricted places and parties
- Supports national security efforts
- Responsible trade can strengthen relationships with US and partners
- Non-compliance may result in administrative action, penalties, fines, and reputation damage
- Safeguard US export privileges
- Non-compliance can impact business operations



Key Regulatory Agencies



Bureau of Industry and Security (BIS):
Most commercial items and those military items not controlled by DDTC
www.bis.doc.gov



Directorate of Defense Trade Controls (DDTC):
Critical military articles and services
www.pmddtc.state.gov/



Office of Foreign Assets Controls (OFAC):
Economic and trade sanctions
www.treasury.gov/resource-center/sanctions

EAR Basics: International Cooperation



Controls are derived from Multi lateral treaties

- Nuclear Nonproliferation Treaty
- Chemical Weapons Convention
- Wassenaar Arrangement
- Australia Group
- International agreements
- Unilateral sanctions or actions

➤ Reasons for Control

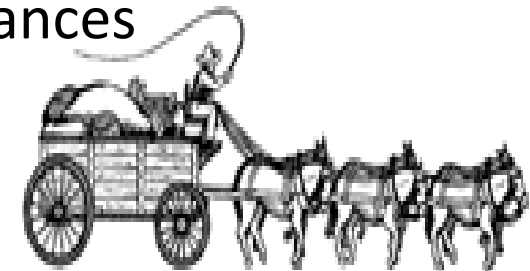
- NS – National Security
- NP – Nuclear Nonproliferation
- MT – Missile Technology
- RS – Regional Stability
- FC – Firearms Convention
- CC – Crime Control
- AT – Anti-Terrorism



BIS Authorizations



- **License**
 - Licenses can be obtained by the U.S. exporter as a part of the original authorization to send the items abroad
 - Subsequently, foreign parties can submit applications directly, or via the U.S. exporter
 - Applications submitted online
- **License Exception**
 - Grant of authority for transactions meeting specific, published criteria
 - No submission required or advance approval in most instances
 - Available to U.S. and foreign parties alike
- **Designation: No License Required**
 - For transactions where a license is not required





The Commerce Country Chart



Is used with the ECCN to determine where items are being sent to determine when transaction have a BIS license requirement

Check for an "X" in the corresponding box on the chart for the *export or reexport* destination country and the item being exported

Commerce Control List Overview and the Country Chart

Supplement No. 1 to Part 738 page 1

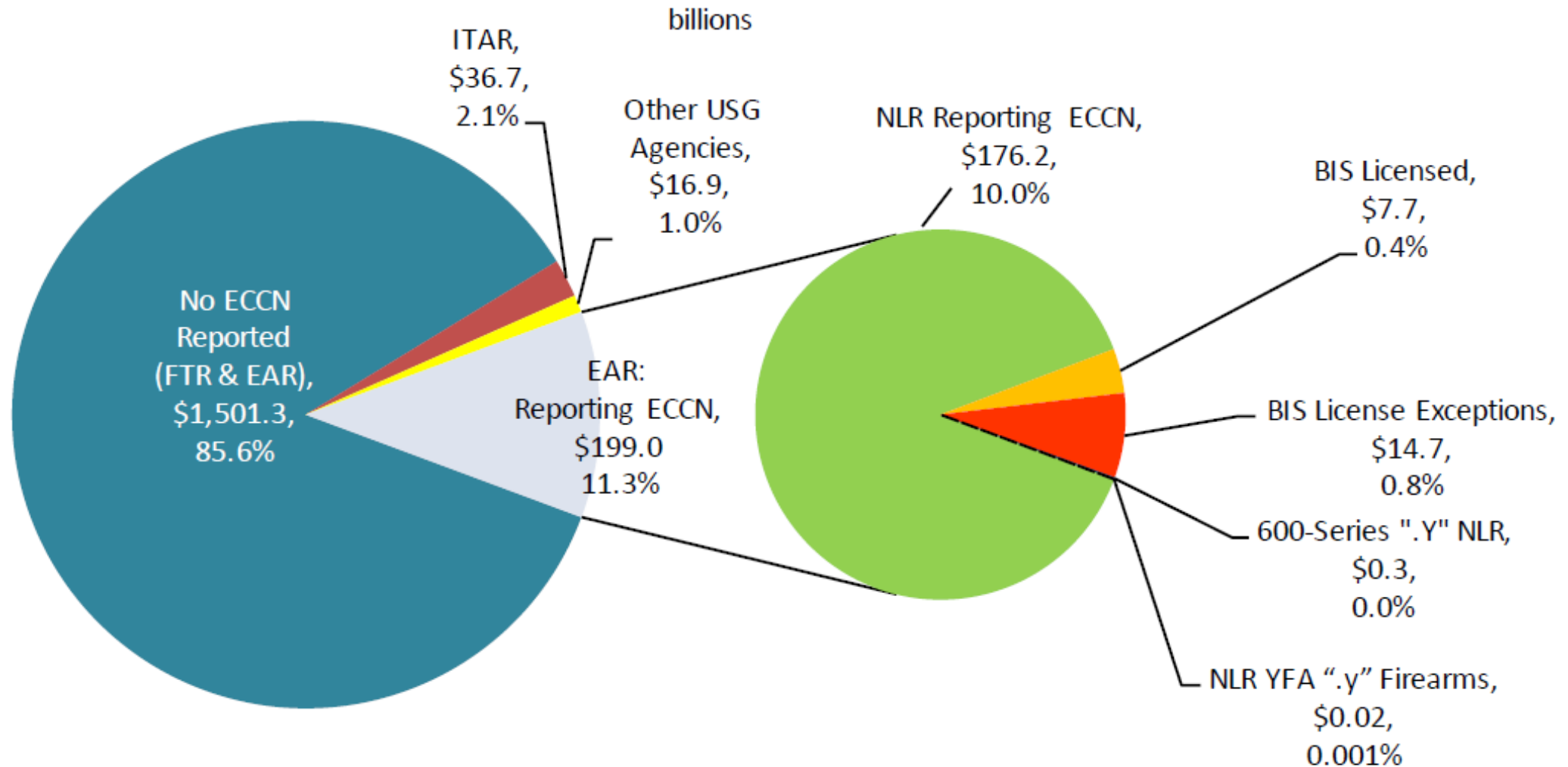
Commerce Country Chart

Reason for Control

Countries	Chemical & Biological Weapons			Nuclear Nonproliferation		National Security		Missile Tech	Regional Stability		Firearms Convention	Crime Control			Anti-Terrorism	
	CB 1	CB 2	CB 3	NP 1	NP 2	NS 1	NS 2	MT 1	RS 1	RS 2	FC 1	CC 1	CC 2	CC 3	AT 1	AT 2
	Afghanistan	X	X	X	X		X	X	X	X	X		X		X	
Albania ^{2,3}	X	X		X		X	X	X	X	X						
Algeria	X	X		X		X	X	X	X	X		X		X		
Andorra	X	X		X		X	X	X	X	X		X		X		

Not everything requires a license

In 2021, U.S. exports of goods to the world were approximately \$1.8 trillion, of which 0.4% was exported under a BIS license



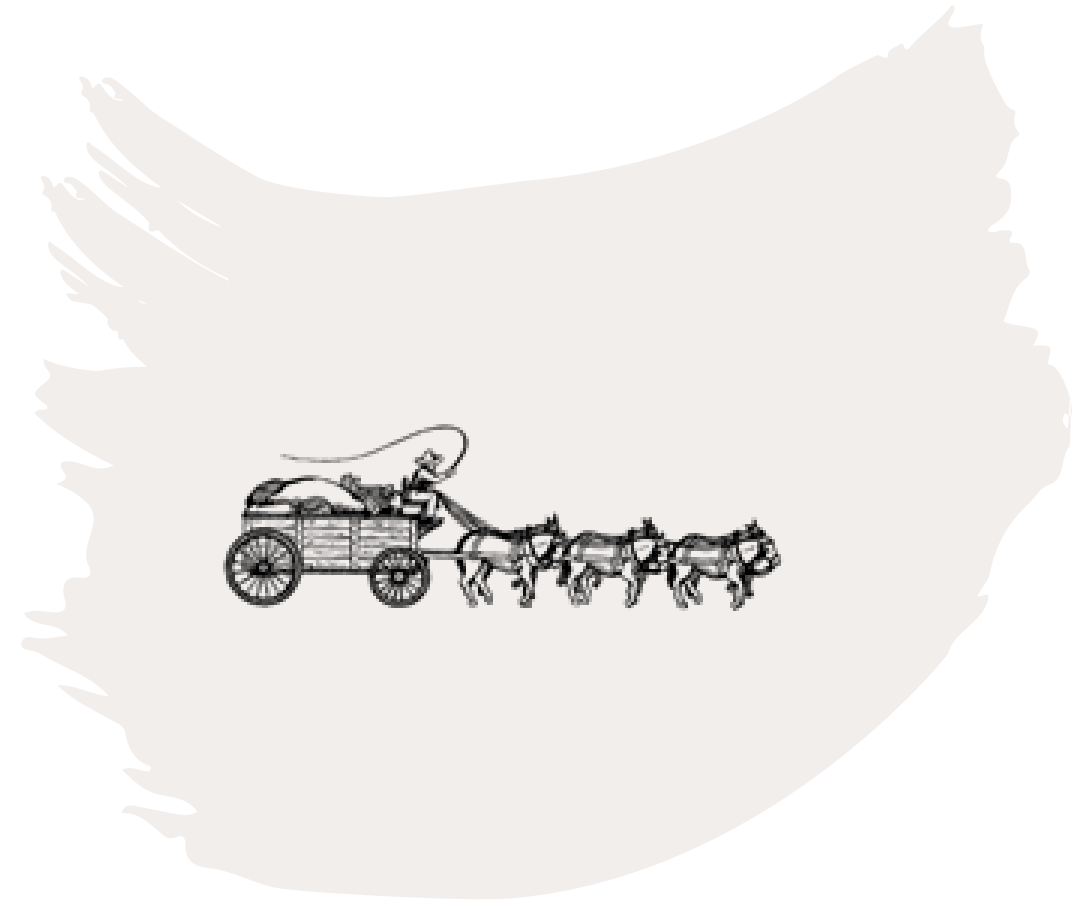
Source: Automated Export System, February 15, 2022



How to determine license requirements

- What is to be exported?
- Where will it be sent?
- Who is the end user?
- What is the end use?

- The What and Where drive the export and re-export considerations





Export Control Classification Numbers (ECCN)



Five Product Groups

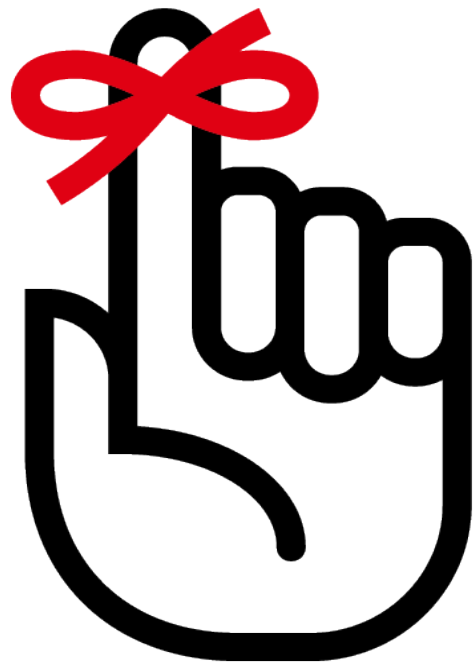
A	Systems, Equipment and Components
B	Test, Inspection and Production Equipment
C	Material
D	Software
E	Technology

Commerce Control List Categories

0	Nuclear & Miscellaneous
1	Materials, Chemicals, Microorganisms and Toxins
2	Materials Processing
3	Electronics
4	Computers
5 Part 1	Telecommunications
5 Part 2	Information Security
6	Sensors and Lasers
7	Navigation and Avionics
8	Marine
9	Aerospace and Propulsion

- Item cataloged on CCL
- Identifies standard info
- Identifies what is being exported





EAR99 items

“Subject to EAR”

No CCL reason for control

No regime reason for control

May require license:

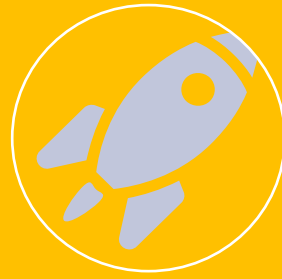
- end user
- end-use
- and/or destination

Examples of EAR Restricted End Uses



Nuclear End-Uses

- Nuclear explosive activities
- Unsafeguarded nuclear activities
- Safeguarded nuclear activities



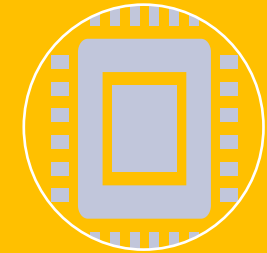
Rocket Systems & UAVs

- Used for rocket systems or UAVs used in or by certain countries
- Used anywhere in the world, regardless of range, for delivery of chemical, biological, or nuclear weapons



Chemical & Biological Weapons

- Used for chemical or biological weapons in or by any country



“Supercomputer” & semiconductor manufacturing end use

- Located in or destined to China or Macau



Know your Customer End User Controls



**Consolidated
Screening List**



Who Can Apply for a License in SNAPR?



Export transactions

- Only a person physically in the United States
- Must be the exporter (U.S. Principal Party in Interest (USPPI)) or an appointed third-party
- Must have authority to determine and control the sending of items out of the United States

Broker or Freight Forwarder can apply online in SNAPR.

Routed export transactions

- USPPI
- A duly authorized U.S. agent of foreign principal party in interest (FPPI), if a written agreement has been executed

Export Reporting Requirements

ACE Export Reports to Department of Census

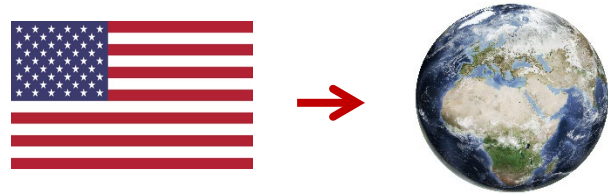
- **AES 201** – Filers can view transactions reported
- **AES 202** – Transactions where your USPPI ID is used
- **AES 203** – USPPI receives the data elements provided in a routed transaction along with the Internal Transaction Number, date of export, and filer name.

Advantages

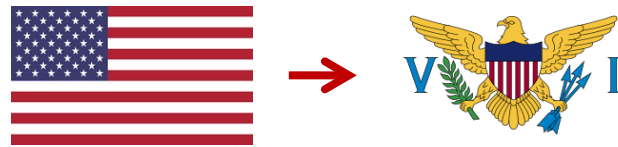
- **FREE!** with no limitation to access
- Data for current year & past 5 years
- On demand reports & customizable scheduled reports

When is Electronic Export Information (EEI) Required?

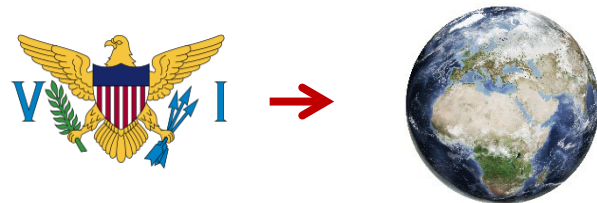
EEI must be filed for exports of physical goods when shipped as follows:



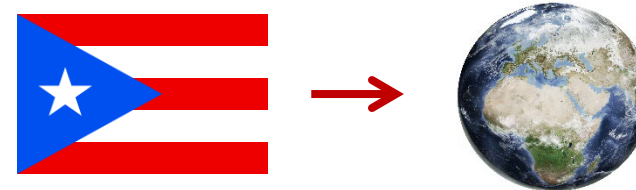
US to foreign countries



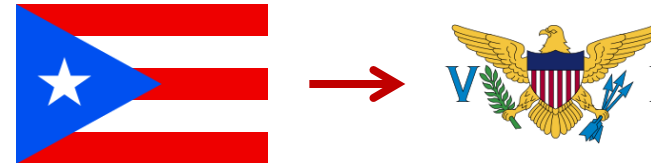
US to the US Virgin Islands



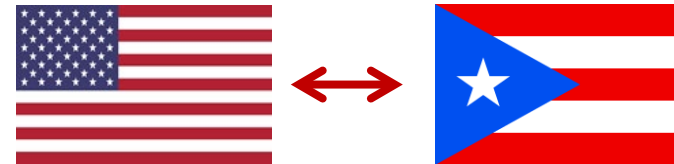
US Virgin Islands to foreign countries



Puerto Rico to foreign countries



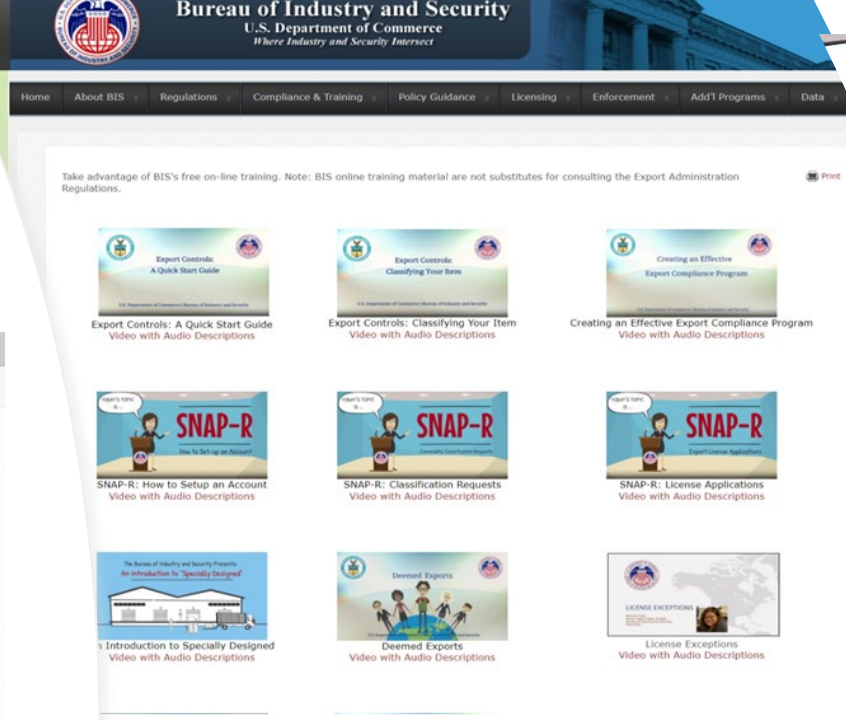
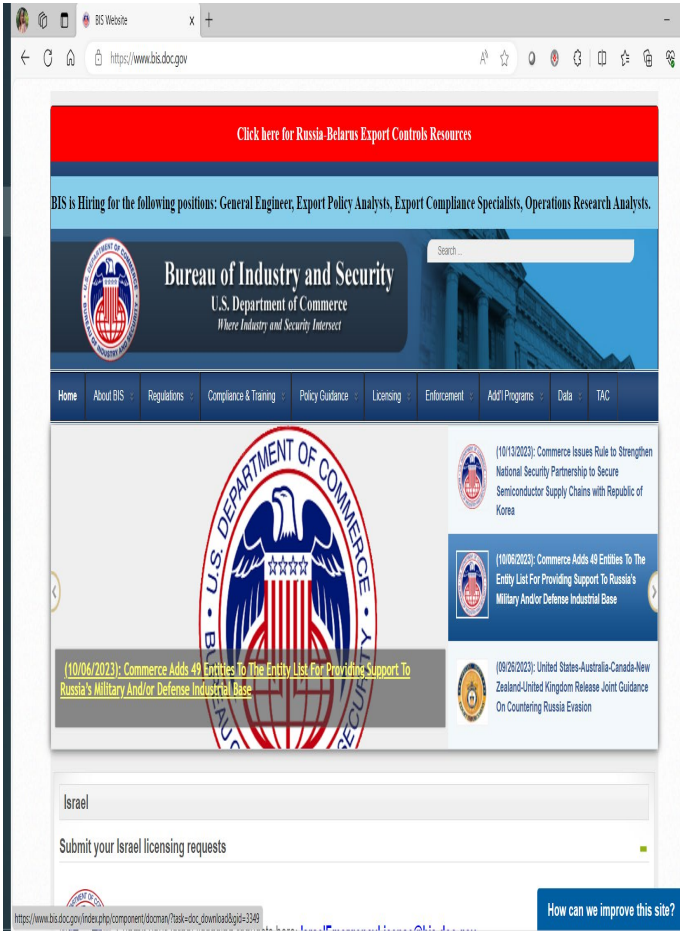
Puerto Rico to the US Virgin Islands



US to Puerto Rico and Puerto Rico to US

BIS Online Resources

bis.doc.gov



Export Controls: A Quick Start Guide



EAR Concluding Points



- Specific, accessible, well-tailored regulations relevant to U.S.
- Help keep the most sensitive goods out of the most dangerous hands
- Enforcement authorities exist to prevent, deter, penalize those choosing to ignore applicable regulations
- In U.S., significant criminal and civil penalties available
- Resources exist to help freight forwarders apply the regulations to their specific activities



Questions?





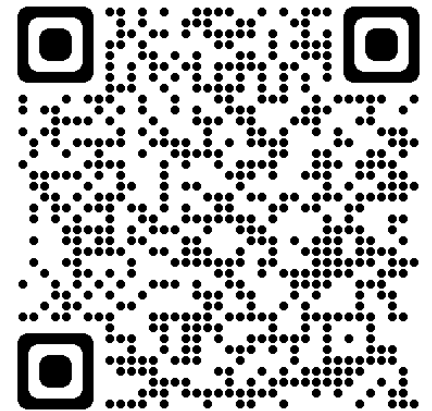
BIS Connect

Be the first to preview the new BIS Website!

BIS Connect is launching a sneak-preview release of the new website Sept 13th. The first 100 selected participants will have 3 months of full access to the new site. Participants will commit up to 30 minutes a month of independent, online and interactive research activities sharing feedback.

SIGN UP HERE: <https://tinyurl.com/47csx8vh>

EMAIL: connect@bis.doc.gov



BIS Helpful Resources



Washington DC

202-482-4811

BIS Western Regional Office WRO

Irvine, CA: 1-949-660-0144

San Jose, CA: 1-408-998-8806

BIS website: <https://www.bis.doc.gov/>

BIS email: ECDOEXS@bis.doc.gov

Questions about Red Flags or other potential enforcement problems?

BIS Office of Export Enforcement Helpline 1-800-424-2980



Vehicle Exports

Presenter: Peter Russell

WIESCCON

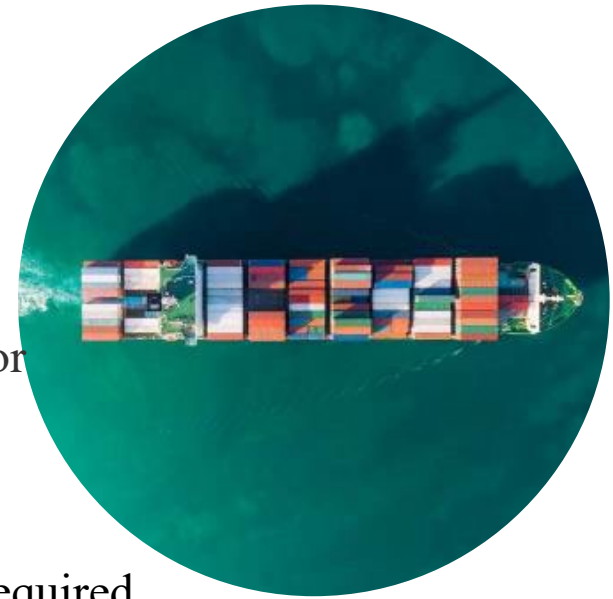
2023



Document Image System (DIS) Pilot for Used Self-Propelled Vehicles

Federal Register Notice 2022-09966 Document Imaging System (DIS) Pilot for Used Self-Propelled Vehicles Export Document Submission was published May 10, 2022.

CBP is now operating a voluntary pilot in which participants will submit the required vehicle ownership documentation to CBP electronically via the Document Image System (DIS). The pilot started on January 9, 2023, open for all Modes of Transportation and to all Ports of Export.



Document Image System (DIS) Pilot for Used Self-Propelled Vehicles

Interested parties should contact their local CBP vehicle export processing office and express their interest (no specific application).

Coordinate test with Port for first submission.

After approval, participants will be permitted to participate fully in the pilot at that Port.

Approval to participate in pilot is at the discretion of the Port Director.

Participants will have to submit Electronic Export Information (EEI) prior to submitting the vehicle documents to DIS.

Participants will be required to transmit a valid Internal Transaction Number (ITN) number to CBP with the DIS submission.

The electronically submitted documents will be linked to the EEI filing in the Automated Export System (AES) via the ITN generated at the time of the EEI submission.



Document Image System (DIS) Pilot for Used Self-Propelled Vehicles

Approximately one third of all vehicle exports have been submitted in DIS since the pilot started.

DIS submissions have been made at 62 Ports.





THANK YOU

