

§ 30.63 Information required to be reported electronically through AES (data elements).

(a) * * *

(1) *USPPI/USPPI identification.*—(i) *Name and address of the USPPI.* For details on the reporting responsibilities of USPPIs, see § 30.4 and § 30.7 (d)(1), (2), (3), and (e).

(ii) *USPPI's profile.* The USPPI's EIN or Social Security Number (SSN) and the USPPI's name, address, contact, and telephone number must be reported with every shipment. If neither EIN or SSN is available for the USPPI, as in the case of a foreign entity being shown as the USPPI as defined in § 30.7(d), the border crossing number, passport number, or any other number assigned by CBP is required to be reported. (See § 30.7(d)(2) for a detailed description of the EIN.)

(b) * * *

(13) *Filing option indicator.* Report the 1-character filing option that indicates Option 2 or 4 filing.

(14) *Directorate of Defense Trade Controls (DDTC) Registration Number.* The number assigned by DDTC to persons who are required to register per Part 122 of the ITAR (22 CFR, 120–130), that has an authorization (license or exemption) from DDTC to export the article.

(15) *DDTC Significant Military Equipment (SME) Indicator.* A term used to designate articles on the USML for which special export controls are warranted because of their capacity for substantial military utility or capability. See § 120.7 of the ITAR 22 CFR, parts 120–130, for a definition of SME and § 121.1 for items designated as SME articles.

(16) *DDTC Eligible Party Certification Indicator.* Certification by the U.S. exporter that the exporter is an eligible party to participate in defense trade. See ITAR 22 CFR 120.1(c). This certification is required only when an exemption is claimed.

(17) *DDTC USML Category Code.* The USML category of the article being exported (22 CFR, part 121).

(18) *DDTC Unit of Measure (UOM).* This unit of measure is the UOM covering the article being shipped as described on the export authorization or declared under an ITAR exemption.

(19) *DDTC Quantity.* This quantity is for the article being shipped. The quantity is the total number of units that corresponds to the DDTC Unit of Measure Code.

(20) *DDTC Exemption Number.* The exemption number is the specific citation from the Code of Federal Regulations (22 CFR, parts 120–130) that exempts the shipment from the

requirements for a license or other written authorization from DDTC.

(21) *DDTC Export License Line Number.* The line number of the State Department export license that corresponds to the article being exported.

(c) *Optional data elements are as follows:*

(1) *Transportation Reference Number for other than vessel shipments.*

(i) *Air Shipments.* Report the master air waybill for air shipments. The air waybill number is the reservation number assigned by the carrier to hold space on the airplane for cargo being exported.

(ii) *Rail Shipments.* Report the bill of lading (BOL) number for all rail shipments. The BOL number is the reservation number assigned by the carrier to hold space on the rail car for cargo being exported.

(iii) *Truck Shipments.* Report the Freight or Pro Bill number for all truck shipments. The Freight or Pro Bill number is the number assigned by the carrier to hold space on the truck for cargo being exported. The Freight or Pro Bill number correlates to a bill of lading number, air waybill number of Trip number for multi-modal shipments.

2. *Seal number.* Report the security seal number of the seal placed on the equipment.

■ 14. Revise § 30.65 to read as follows:

§ 30.65 Annotating the proper exemption legends or proof of filing citations for shipments transmitted electronically.

(a) Items identified on the USML must meet the predeparture reporting requirements identified in the ITAR (22 CFR, part 120–130) for the State Department requirements concerning AES proof of filing citations and time and place of filing.

(b) For shipments other than USML, the USPPI or the authorized agent is responsible for annotating the proper exemption legend on the bill of lading, air waybill, or other commercial loading document for presentation to the carrier prior to tendering the cargo to the exporting carrier. The carrier is responsible for transmitting the appropriate exemption legend to the CBP Port Director at the port of exportation as stated in § 30.21 and § 30.22 of this part. Such transmittal shall be without material change or amendment of the exemption legend as provided to the carrier by the USPPI or the authorized agent. The exemption legend will identify that the shipment information has been accepted as transmitted and electronically filed using the AES. The exemption legend must appear on the bill of lading, air

waybill, or other commercial loading documentation and the manifest and must be clearly visible and include either of the following:

(1) For shipments other than USML, the exemption legend will include the statement, “NO SED REQUIRED–AES,” followed by the filer's identification number and a unique shipment reference number referred to as the External Transaction Number (XTN) or the returned confirmation number provided by AES when the transmission is accepted, referred to as the Internal Transaction Number (ITN). Items on the USML must meet the predeparture reporting requirements in the ITAR (22 CFR parts 120–130).

(2) For USPPIs who have been approved to participate in Filing Option 4, the exemption statement, “NO SED REQUIRED–AES4,” followed by the USPPI's EIN followed by the filer's identification number if other than the USPPI files the data.

■ 15. Revise § 30.66 to read as follows:

§ 30.66 Support, documentation and record keeping requirements.

(a) *Support.* “ASKAES@census.gov” is an online service that allows electronic filers to seek assistance pertaining to AES. AESDirect is supported by a help desk available twelve (12) hours a day, seven (7) days a week.

(b) *Documentation.* Filers using the AESDirect are able to print out from the AESDirect a validated record of the filer's submission. Filers using AES are able to print records containing date of submission and a unique identification number for each AES record submitted. The Census Bureau will maintain an electronic file of data sent through AES to ensure that an individual is able to receive from the system, a validated record of the submission. The USPPI or the authorized agent of the USPPI or the authorized agent of the foreign principal party in interest may request a copy of the electronic record submitted as provided for in § 30.91 of this part.

(c) *Recordkeeping.* All parties to the export transaction (owners and operators of the exporting carriers and U.S. principal party and/or the authorized agents) must retain documents or records pertaining to the shipment for five (5) years from the date of export. CBP, the Census Bureau, and other participating agencies may require that these documents be produced at any time within the 5-year time period for inspection or copying. These records may be retained in an elected format, including electronic or hard copy as provided in the applicable agency's regulations. Acceptance of the