

# Letter of Intent (LOI) Form - Commodity Data (EEI)

A Letter of Intent is required to participate in the Automated Export System (AES). The Letter of Intent (LOI) is a written statement of a company's desire to participate in the AES, and implies the development or purchase of a software solution by your company, which conforms to the AES data formats.

Upon receipt of your LOI, a Customs Client Representative and a Census Client Representative will be assigned to serve as your technical advisors during development, testing and implementation of the AES.

## Interconnection Security Agreement

In accordance with implementation of the Customs and Border Protection (CBP) Information Systems Security Policy, all participants that transmit electronic data directly to the AES or the Automated Commercial System (ACS) are required to have a signed Interconnection Security Agreement (ISA) on file with CBP.

For information to identify those participants that are required to file an ISA and instructions on how to complete and forward the ISA to CBP, see the CBP ISA in the related links:

- [Instructions for Customs and Border Protection Interconnection Security Agreement](#)
- [Instructions for the Electronic Interconnection Security Agreement for the Trade Internet Virtual Private Network](#)
- [Interconnection Security Agreement for MPLS/MQ Users](#)
- [Interconnection Security Agreement for Trade Internet VPN Users](#)

## LOI Registration

To register on-line, please complete and submit the form below. Please be sure to complete the form in its entirety, as missing information will cause a delay in processing the form. Acceptance of this form by the AES satisfies the requirement for a written Letter of Intent.

If you have any questions, please call **1-800-549-0595** or email [askaes@census.gov](mailto:askaes@census.gov).

Note: Please only use the email for questions or issues. Do not submit the Letter of Intent form or an Employer Identification Number through this email address.

To register for [AESDirect](#), please go to their website and begin the registration process there.

**Note: Only US and US territory entities may apply for access to transmit AES.**

Indicates required field

Company Name

Company Address

Point of Contact Information

*Please include Contact Name, Telephone, and Email*

Technical Point of Contact

*Please include Technical Contact Name, Telephone, and Email*

Company EIN or DNS

### **Type of Business**

*Choose all that apply*

- Carrier
- Exporter
- Freight Forwarder/Broker
- NVOCC
- Port Authority
- Service Bureau
- Software Vendor
- Other

### **Methods for Transmitting Data**

*Mandatory section, one option must be selected from the following.*

#### **Self-programming**

- Self-programming and wish to establish VPN/MQ or MPLS VPN communications with CBP (optional)

#### **Using Purchased Software**

Using purchased software and wish to establish VPN/MQ or MPLS VPN communications with CBP (optional)

Purchased Software Vendor (optional)



*Enter the name and contact information for your vendor.*

**Using Service Provider's Software**

Using Service Provider's software and communications (optional)

Service Provider Information (optional)



*Enter the name and contact information for your vendor.*

Service provider transmitter ID (optional)

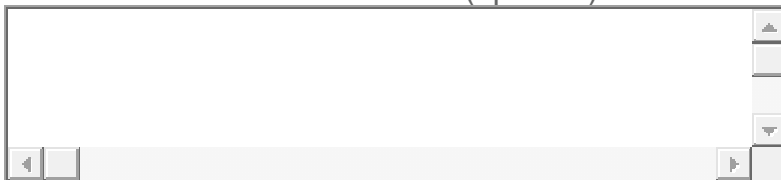


*Mandatory if using a service provider.*

**Using Software with a VAN option**

Using Software along with a VAN (optional)

Vendor for Software with a VAN (optional)



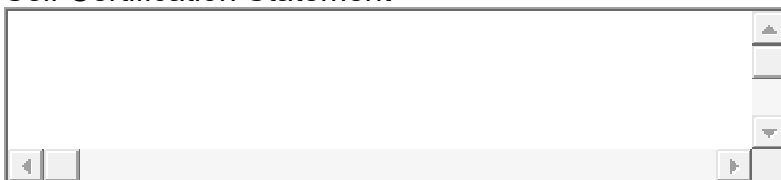
*Enter the name and contact information for your VAN.*

VAN Information (optional)



*Enter the name and contact info of VAN.*

Self Certification Statement



*Please include Company Name, Title of Company Official, and E-mail Address of Company Official.*

*By filling in the box above, you are agreeing to the following statement:  
We (at the COMPANY NAME entered above) certify that all statements made and all information provided herein are true and correct. I understand that civil and criminal penalties, including forfeiture and sale, may be imposed for making false or fraudulent statements herein, failing to provide the requested information or for violation of U.S. laws on exportation (13 U.S.C. Sec. 305; 22 U.S.C. Sec 401; 18 U.S.C. Sec. 1001; 50 U.S.C. App. 2410)*

## Format of Data

- CBP Proprietary  
 ANSI X12

## Do you already participate in one of CBP's automated programs?

- Yes  
 No

If yes, then what is the name of your Assigned Client Representative? (optional)

Anticipated Implementation Date

Submit

## AES LOI Privacy Notice

This Privacy Notice serves to inform you of why DHS is requesting the information on this form.

### AUTHORITY:

Information is requested on this forms to support the DHS and CBP missions under 5 U.S.C. 301; 44 U.S.C. 3101, for the collection of certain contact information about companies and their representatives; In addition export information is collected pursuant to 19 U.S.C. 482, 1467, 1581(a) and the Security and Accountability for Every (SAFE) Port Act of 2006, Public Law 109-347, 120 Stat. 1884 (Oct. 13, 2006), Through title 19, CBP, similarly, holds stewardship of export data and collects and reviews data for outbound cargo in EIS to ensure compliance with 19 U.S.C. 1431. Subsection (a) of Section 343 of the Trade Act of 2002 mandated that the Secretary of Homeland Security (formerly the Secretary of Treasury) collect cargo information "through an electronic data interchange system," prior to the departure of the cargo from the United States. See 19 U.S.C. 2071 note and 19 CFR 192.14. EIS includes the data collected in AES/ACE and from paper forms and documents, as CBP moves from paper to an entirely electronic collection process.

To comply with the regulation, exporters must file the electronic export information (EEI), formerly the Shipper's Export Declaration (SED), as directed under 13 U.S.C. 301 (Department of Commerce, U.S. Census Bureau's root authority to collect the SED, now EEI) and pursuant to section 303, CBP (formerly U.S. Customs Service, through the Dept. of Treasury) is required to develop an automated system for collecting this export data.

Through title 13, the Census Bureau holds stewardship of export data. The law that governs the general reporting of the SED is the Foreign Trade Statistics Regulations (FTSR), also known as 15 Code of Federal Regulations(CFR) Part 30. Other Federal Government agencies have a say in the export laws as well and as needed. Those agencies are referenced in the FTSR. Under the Trade Act of 2002 (19 U.S.C. 2071 note), CBP is required to collect an export manifest containing a declaration identifying the parties to the transaction, a physical description of the commodity, its quantity, mode of conveyance, and ports of origin and destination.

The exporter is responsible for preparing the Electronic Export Information (EEI) and the carrier files it with CBP through the AES LOI or AES Direct. Failing to provide the requested information or making false or fraudulent statements to CBP and Census may have consequences for violation of U.S. laws on exportation such as 13 U.S.C. Sec. 305; 22 U.S.C. Sec 401; 18 U.S.C. Sec. 1001; and 50 U.S.C. App. 2410.

The entire list of CBP authorities is outlined in the Authorities for Maintenance for export information in the DHS/CBP-020 Export Information System (EIS) SORN, September 2, 2015, 80 FR 53181; and DHS/ALL-002 Department of Homeland Security (DHS) Mailing and Other Lists System, November 25, 2008, 73 FR 71659.

### PURPOSE:

The Letter of Intent (LOI) is a written application to participate in AES. It provides basic company profile information and sets forth a commitment to develop, maintain and adhere to CBP performance and operational standards and to engage with CBP and the U.S. Census Bureau.

NOTE: This same information can be shared with CBP and Census using the free AESDirect option, however, establishing a system-to-system interface is less time consuming for the exporting company, and in choosing to apply to use the AES LOI option, companies must provide certain contact and technical information to CBP.

**SHARING:**

Specifically, DHS will share EEI with the U.S. Census Bureau, pursuant to Routine Use H, of the EIS SORN, to fulfill its statutory mandate of collecting international trade statistics, as noted. DHS may also share the information provided on this application with other Federal, state, local, and foreign government agencies, and authorized organizations pursuant to Routine Use F. and G. of the EIS and Contact Lists SORNs, respectively. This information may be available to all component agencies within DHS on a need-to-know basis consistent with the component's mission and other Federal Partners. DHS may also share the information, as appropriate in the interest of national security.

**DISCLOSURE FOR FAILURE TO PROVIDE INFORMATION:**

Participation in AES LOI is voluntary. However, failure to provide the requested EEI or additional contact and technical information may prevent CBP from establishing a system-to-system connectivity to receive and share the requisite export information pursuant to 13 U.S.C. 301 and the additional authorities above.