

Elimination of the Social Security Number from the Automated Export System

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The U.S. Census Bureau recently published an Interim Final Rule that eliminates the requirement from Title 15, Code of Federal Regulations, Part 30, Foreign Trade Regulations (FTR), to report a social security number (SSN) when registering to file and filing Electronic Export Information (EEI). This rule was implemented to ensure that the SSN of the U.S. Principal Party in Interest (USPPI) or authorized agent is protected in accordance with the Privacy Act of 1974.

This rule became effective on September 4, 2009, and will be implemented beginning on December 3, 2009. This means, after December 3, a USPPI or authorized agent residing or having an office located in the United States can no longer provide the SSN as an identification number when reporting EEI through the Automated Export System (AES). A USPPI or authorized agent must obtain an Employee Identification Number (EIN) from the Internal Revenue Service (IRS), or a DUNS number from Dun & Bradstreet to use as an identification number when registering or filing through the AES. The EINs are available to both businesses and individuals. The DUNS number are available only to business entities.

The requirement for a foreign entity that is identified as a USPPI remains unchanged for purposes of the FTR. When a foreign entity within the United States purchases or obtains items for export, they must report a border crossing number, passport number, or any number assigned by U.S. Customs and Border Protection.

An EIN can be obtained by calling the IRS at 800-829-4933 or applying online at <http://www.irs.gov>. Nonbusiness owners are allowed to obtain EINs for purposes of reporting EEI to the federal government. To obtain a DUNS number, first obtain an EIN and then complete an application online at <http://www.dnb.com/us/>. Regardless of the type of items being shipped or the shipping frequency, any person/entity that resides in the United States and ships goods to a foreign country will need to obtain an EIN.

When applying online for an EIN as an individual, follow these steps:

- Go to the IRS Web site referenced above and click "Apply for an EIN online," then choose the option that states, "Apply online now."
- Choose "Sole Proprietor" when selecting the type of legal structure.
- Choose the option for "Starting a new business" when selecting the reason why you are applying for an EIN.
- Provide additional information as requested, including name, SSN or Individual Taxpayer Identification Number (ITIN), address, phone number, and the start date of your sole proprietorship.
- Choose "Other" when selecting what your business/organization does.
- Choose "Other" and enter the phrase "Federal Law Requirements" when asked to provide information about your primary business activity.
- Review the information and click "Continue" to request and receive your EIN.

Once this information is accepted, you will have the option to receive your EIN online or in the mail. If you choose the mail option, you must allow up to 4 weeks for delivery of the letter containing your EIN. However, choosing the online option will allow you to view, print, and save the letter with your new EIN within 15 minutes.