

# MILLER & COMPANY P.C.

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## MEMORANDUM

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TO: Miller & Company P.C. Clients

FROM: Marshall V. Miller, Esq.

SUBJECT: Exporter Activity Data

DATE: January 2008

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Please consider ordering your 2007 Export data today. Accessing and analyzing the U.S. government records of all 2007 export company transactions is a very useful way of identifying compliance issues. While every company is generally aware of its export activities, it is very difficult for most companies to be completely knowledgeable of the detailed information regarding their freight forwarders and AES service providers, EINs utilized, Customs Ports of Export, merchandise origin, export value, HTSUS/Schedule B and ECCN classifications, export licenses, export destination countries, etc. Having accurate summary and detail export information is critical in properly managing the export process.

The analysis and reports generated by our system assist companies in understanding the volume and costs of exports. Clients have utilized this information to identify issues, allocate resources, and modify their current process. Identifying important compliance issues from an export perspective is critical to exercising "reasonable care" and preventing the issuance of penalties. We have significantly upgraded our software programs and have trained more legal assistants to manage the production of the reports more efficiently. As a result, we have the ability to run these reports far more quickly than we had in the past reducing our charges for these reports.

Exporter activity data is secured from the U.S. Census Bureau in Washington, D.C. The request must be placed on Company letterhead and authorized by an appropriate Company representative. The statistical information received is based upon the Shipper's Export Declaration (SED)/Automated Export System (AES) data ("Electronic Export Information" or "EEI") that is received by Census. The data does not include information on export shipments that did not

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require an SED/AES submission or export shipments that are “routed” transactions. Generally, this includes shipments to Canada and HTSUS line items that are less than \$2,500 in value. The most recent twelve (12) months of processed data is available from Census on a no-cost basis. Additional months are available at a cost of \$125 per month. The request for data takes approximately three (3) to six (6) weeks for the government to process once all 2007 data is available.

In addition to the cost of securing the records from the government, our fees to process the data varies depending on the number of EINs analyzed, the number of export line items, and any data issues. Typically our fees range from \$1,500 to \$2,500 for one EIN for one year, with additional fees for each subsequent EIN, multiple years of data, and a very significant volume of transaction activity.

Listed below is a summary of the reports that are typically produced in providing our analysis:

#### Exporter Activity Data

1. Overall Summary – Identifies true foreign exports versus imports between the United States and Puerto Rico or the Virgin Islands. Detailed reports identify individual exports that are electronically versus manually filed.
2. USPPI EIN Usage – Identifies EIN’s being utilized as U.S. Principal Parties in Interest on a company’s behalf, as well as the volume and value of such exports for each USPPI.
3. Country of Destination – Identifies destinations of exports and assists in monitoring compliance with export regulations. Detailed reports are provided to assist in licensing compliance.
4. HTSUS Usage Summary – Identifies volume and export value of products by tariff classification. Detailed reports link exports identified by HTSUS classification to country of destination, along with license codes to assist in export compliance.
5. Port of Export – Identifies forwarding agents providing service by specific port.
6. AES Filer ID Log – Identifies the party that transmits the AES transmission for the exporter. It is exactly like the very valuable Import Customs Auditor Report that confirms the parties undertaking services on your behalf.

8. Miscellaneous Reports – Summarizes by volume and export value foreign trade zone identification, domestic versus foreign exports, related versus non-related party exports, mode of transportation usage, and ECCN and license usage.

### Summary

Our final Reports are presented in a three-ring binder and for many of our clients average approximately 375-600 pages of data depending on the volume of transactions, with 50 pages of color graphs and charts. CDs are also provided. If requested, we can customize our reports to focus on a particular business unit or site to identify specific issues.

We recommend five (5) years of data be utilized in order to identify trends and comply with statute of limitation standards. We are taking orders for the data now and analysis will occur on a first come – first serve basis. We are also happy to discuss additional specialized data selection for management needs.

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