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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Economics and Statistics Administration**  
**U.S. Census Bureau**  
Washington, DC 20233-0001

**FTR Letter No. 5**

MEMORANDUM FOR U.S. Customs Service Headquarters, Directors of Field Operations, Port Directors, Foreign Trade Zone Operators, U.S. Department of Commerce District Offices, U.S. Principal Parties in Interest, Freight Forwarders, Exporting Carriers, Consolidators, U.S. Customs Brokers, and All Others Concerned

From: William G. Bostic, Jr. *W. G. B. Jr.*  
Acting Chief, Foreign Trade Division (FTD)

Subject: New License Exception - Consumer Communication Devices

This letter provides the requirements in the Foreign Trade Regulations for filing the electronic export information through the Automated Export System (AES) for shipments under the new License Exception Consumer Communication Devices (CCD). The U.S. Bureau of Industry and Security has created this new exception under §740.19 of the Export Administration Regulations to authorize exports and re-exports to Cuba of certain donated consumer communications devices, computers, and software. Under the License Exception CCD, exports of eligible commodities and software may be made to individuals in Cuba and to independent non-governmental organizations in Cuba. Exports or re-exports under the License Exception CCD may not be made to organizations administered or controlled by the Cuban Government or the Communist Party or to designated officials of the Cuban Government or Communist Party.

The U.S. Census Bureau has modified the AES by adding the new License Type Code "C58" for the License Exception CCD. The AES filers who report "C58" are required to report CCD, regardless of value, in the license number field and the Export Control Classification Numbers 4A994, 4D994, 5A991, 5D991, 5A992, 5D992, or EAR99 corresponding to the License Exception. The country of destination and ultimate consignee reported in the AES must be CU. Additionally, Export Information Codes OS, OI, CH, and CI, and all modes of transportation, except pipeline, are acceptable.

This rule also relaxes some restrictions on individual gift parcels being sent to Cuba under the License Exception GFT. All items normally exchanged between individuals as gifts, provided they are not on the Commerce Control List, are eligible for the License Exception GFT shipments to Cuba. In addition, the personal communications devices, computers, and software that are eligible for the License Exception CCD are also eligible for the License Exception GFT shipments to Cuba even if they are on the Commerce Control List. The one month frequency limit applies to gift parcels from one donor to one donee rather than to one household. The recipient need not be a member of the immediate family of the donor. The value limit is raised to \$800. Certain Cuban Government and Communist Party officials are not eligible recipients under the License Exceptions GFT or CCD. This rule also removes the 44 pound weight limit from personal baggage going to Cuba under the License Exception BAG.

Every effort must be made by the U.S. Principal Party in Interest or its U.S. authorized agent to comply with this requirement. If you have questions concerning this requirement, please contact the Regulations, Outreach, and Education Branch, FTD on 800-549-0595, option 3, or by e-mail using [FTDRegs@census.gov](mailto:FTDRegs@census.gov). For additional requirements on the Cuba Rule, please visit [www.bis.doc.gov](http://www.bis.doc.gov).