Hi @@first_name@@,

We know that many members have shipments that do not fit within the specific exemptions in the Temporary Final Rule updated by CBP on April 10, 2020 and set out on AAEI's Member Alert - FEMA PPE FRN. AAEI just received FEMA's pre-publication notice of exemptions on Prioritization and Allocation of Certain Scarce or Threatened Health and Medical Resources for Domestic Use; Exemptions. This notice will appear in the Federal Register on April 21, 2020.

Specifically, the notice provides for additional exemptions:

- Shipments to U.S. Commonwealths and Territories, Including Guam, American Samoa, Puerto Rico, U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands (Including Minor Outlying Islands).
- Exports of Covered Materials by Non-profit or Non-governmental Organizations that are Solely for Donation to Foreign Charities or Governments for Free Distribution (Not Sale) at their Destination(s).
- Intracompany Transfers of Covered Materials by U.S. Companies from Domestic Facilities to Company-owned or Affiliated Foreign Facilities.
- Shipments of Covered Materials that are Exported Solely for Assembly in Medical Kits and Diagnostic Testing Kits Destined for U.S. Sale and Delivery.
- Sealed, Sterile Medical Kits and Diagnostic Testing Kits Where Only a Portion of the Kit is Made Up of One or More Covered Materials That Cannot be Easily Removed Without Damaging the Kits.
- Declared Diplomatic Shipments from Foreign Embassies and Consulates to their Home Countries. These May be Shipped via Intermediaries (Logistics Providers) but are Shipped from and Consigned to Foreign Governments.
- Shipments to Overseas U.S. Military Addresses, Foreign Service Posts (e.g., Diplomatic Post Offices), and Embassies.
- In-Transit Merchandise: Shipments in Transit through the United States with a Foreign Shipper and Consignee, Including Shipments Temporarily Entered into a Warehouse or Temporarily Admitted to a Foreign Trade Zone.
- Shipments for Which the Final Destination is Canada or Mexico.
- Shipments by or on behalf of the U.S. Federal Government, including its Military.

Please note that some of these exemptions will require companies to submit a letter of attestation to FEMA filed through CBP’s document imaging system. The attestation letter should contain the following information:

- A description of which exemption(s) the exporter is claiming.
- Details regarding the shipment that are sufficient for the CBP and FEMA officials to determine whether the shipment falls under the claimed exemption(s).
- A statement that the provided information is true and accurate to the best of the exporter’s knowledge, and that the exporter is aware that false information is subject to prosecution under the DPA, as outlined in the allocation order. Exporters who have concerns about how to file this letter of attestation should reach out to CBP to request additional details.

Don’t forget to participate in the PPE Survey with additional questions and submit updated responses to the AAEI COVID-19 Survey (Week 4).

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