

Export Enforcement Panel



Update 2011
July 20, 2011

July 2011

1

Famous Person – Then & Now



July 2011

2

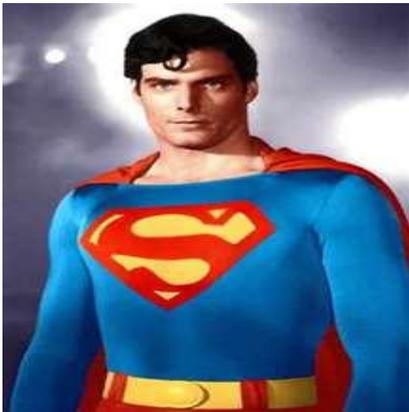
Famous Person – Then & Now



July 2011

3

Famous Person – Then & Now



July 2011

4

Famous Person – Then & Now



July 2011

5

Then & Now



July 2011

6

Panelists

- **Douglas Hassebrock, Director, Office of Export Enforcement**
- **Glenn Krizay, Director, Office of Enforcement Analysis**
- **Ned Weant, Director, Office of Antiboycott Compliance**
- **Joseph Jest, Enforcement and Litigation Chief, Office of the Chief Counsel for BIS**

July 2011

7

Question

When auditing a registered BIS exporter's compliance program processes for any reason, what indicia of compliance does BIS expect (or hope) to see regarding proper pre-shipment screening against the consolidated list of banned parties, organizations, and institutions? Please assume the exporter is not ITAR registered.

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8



Question

Please share the safeguards established to ensure BIS approval for controlled items exported under the exception are not re-exported outside of authorized destinations?

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9



Question

Are there any additional countries other than Israel where U.S. antiboycott rules apply? Is there a country list to check where violations have occurred?

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10



Question

When you receive a call from an Export Enforcement Agent requesting additional documentation for an export shipment, is that generally just a routine follow-up, or should it be regarded as an indication that BIS has deeper concerns about your exports or your customers beyond the shipment question?

July 2011

11



Question

If I receive a document with what appears to be a boycott request, but I'm not sure if it exactly fits within the regulation, should I just report it anyway? Is there any negative consequence to me (as the U.S. exporter) to reporting a possible boycott request?

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12

Question

If an exporter receives a request to export a commodity that would normally be NLR, but if there is a suspicion that there may be a diversion contrary to U.S. law or there are any other Red Flags, what is the preferred method to contact BIS? Telephone the local OEE office? Telephone OEE Washington Headquarters? Or submit an Exporter's Inquiry Form on-line under the BIS website "Contact a Counselor?"

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13

Question

Assuming it is best to call OEE, if the Special Agent verbally tells you to make the export even though there is a Red Flag, is this sufficient to proceed? Or should the exporter always apply for a license in the case of a Red Flag?

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14



Question

Do you see an increase in enforcement cases for violations of regulations that deal with issues not related to licensed commodities or denied parties? And, will you lower your threshold for penalizing companies?

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15



Question

How does enforcement of BIS antiboycott rules differ from enforcement of the Treasury Department antiboycott rules?

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16



Question

A DOD program manager tells us that a BIS license is not needed to export an item. Is it possible in this scenario to have violated export control laws if BIS differs with DOD on whether something is export controlled?

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17



Question

As you may already be aware, the costs involved on container seizures and holds can be substantial. Generally, the booking party has no choice but to absorb these costs. Could OEE, CBP, ICE, or whichever agency is involved offer some recourse for covering these expenses or to at least offer intervention with the steamship lines to reduce or eliminate some of their charges?

July 2011

18



Question

Relating to antiboycott, what are the major criteria used for selection for an audit? For example, could it be related to the volume of transactions to countries of concern? In general, how often are these assessments conducted?

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19



Question

When deciding what transactions to conduct an End-Use Check on, is there an emphasis on location and certain items?

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20



Question

I received an administrative subpoena from OEE and submitted all the requested documentation. We have not heard back from OEE. Should we or will we?

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21



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Questions from the Audience

July 2011

22



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Thank you for your participation

**Reminder...Roundtable Discussions
Begin at 9:00 am on Thursday**