

**Update Conference on Export Controls and Policy**  
*Partnering to Address 21st Century Export Control Challenges*  
Virtual Conference Agenda and Session Descriptions  
(Subject to change)

**SEPTEMBER 2, 2021**

*All times shown are U.S. Eastern Daylight Savings Time (UTC-4:00)*

8:00 a.m. - 8:30 a.m.

**Opening Remarks**

Gina M. Raimondo, U.S. Secretary of Commerce, introduced by Jeremy Pelter, Acting Under Secretary for Industry and Security, Bureau of Industry and Security

8:30 a.m. - 9:45 a.m.

**Export Administration Plenary**

In line with the theme of this year's conference – "Partnering to Address 21st Century Export Control Challenges" – this plenary session will feature remarks from Deputy Assistant Secretary Matthew Borman, followed by short presentations from each of BIS's program offices on BIS's work with our various partners, including industry, foreign governments, and other U.S. government agencies, to address current unique challenges.

*Moderator:* Matthew S. Borman, Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security

Patricia Muldonian, Senior Policy Advisor, Office of National Security and Technology Transfer Controls

Douglas Brown, Director, Treaty Compliance Division

Eric Longnecker, Director, Defense Programs Division

David Boylan, Office of Technology Evaluation

Maura Weber, Office of Technology Evaluation

9:45 a.m.-10:00 a.m.

**Break**

10:00 a.m. - 11:30 a.m.

**Morning Breakout Sessions**

**Anatomy of an Export Enforcement Investigation**

This session allows the exporting public, counsel, and industry experts to hear directly from the front lines of law enforcement. The Office of Export Enforcement (OEE) will take you from the starting point of an actual case through final remedies. This panel will feature a live Q & A session at the end.

*Moderator:* Dan Clutch, Deputy Director, Office of Export Enforcement, BIS  
Ariel Leinwand, Special Agent in Charge, Office of Export Enforcement, Miami Field Office, BIS  
William Bookout, Special Agent, Office of Export Enforcement, Atlanta Resident Office, BIS

### **The Foreign Direct Product Rule**

This session will teach you how to determine if your foreign made item is subject to the Export Administration Regulations using the traditional foreign direct product rules and the new foreign direct product rule associated with the Entity List.

*Moderator:* Sharron Cook, Senior Export Policy Analyst, Regulatory Policy Division, Office of Exporter Services, BIS  
Eileen Albanese, Director, National Security and Technology Transfer Controls, BIS

### **Interagency Update**

This year, this popular panel will again feature senior officials from agencies with which BIS routinely works. Each participant will briefly introduce his/herself and his/her agency and then open the floor to questions from attendees.

*Moderator:* Matthew Borman, Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security  
Michael Laychak, Deputy Director, Defense Technology Security Administration, Department of Defense  
Andrea Gacki, Director, Office of Foreign Assets Control, Department of the Treasury  
Gonzalo Suarez, Deputy Assistant Secretary, Bureau of International Security and Nonproliferation, Department of State  
Mike Miller, Deputy Assistant Secretary, Directorate of Defense Trade Controls Policy, Department of State

### **Encryption**

Representatives from the Information Technology Controls division will provide an in-depth discussion of recent changes to Category 5 Part 2. This will include an overview of the March 2021 changes to the classification and reporting requirements of license exception ENC, as well as recent Wassenaar Arrangement changes to the control list.

*Moderator:* Aaron Amundson, Director, Information Technology Controls Division, Office of National Security and Technology Transfer Controls, BIS  
Michael Pender, Senior Engineer, Information Technology Controls Division, Office of National Security and Technology Transfer Controls, BIS  
Anita Zinzuvadia, Senior Engineer, Information Technology Controls Division, Office of National Security and Technology Transfer Controls, BIS

11:30 a.m. - 11:45 a.m.

### **Keynote Speaker**

Jeremy Pelter, Acting Under Secretary for Industry and Security

11:45 a.m. – 12:30 p.m.

## **Lunch Break**

12:30 p.m. - 1:45 p.m.

## **Afternoon Breakout Sessions I**

### **Export Control Officers (ECO) Abroad**

This session will introduce you to the BIS Export Control Officers, assigned at U.S. Embassies and Consulates, who conduct end-use checks to confirm the end uses and end users of U.S.-origin items exported to over 60 countries, including China, Hong Kong, Germany, India, Singapore, Turkey, and the United Arab Emirates. Learn how industry can identify red flags and conduct due diligence, as well as work with foreign governments to ensure exports are not illicitly diverted or transshipped.

*Moderator:* Linda Minsker, Assistant Director for the Export Control Officer Program, Office of Enforcement Analysis, BIS

Elizabeth Blanch, ECO Beijing, China

Michael Burnett, ECO Singapore

Scot Gonzales, ECO Frankfurt, Germany

Steven Hammond, ECO Beijing, China

Edward Hayden, ECO New Delhi, India

Juventino Martin, ECO Frankfurt, Germany

Craig Phildius, ECO Istanbul, Turkey

Joanna Stelnicki, ECO Hong Kong, China

Peter Zube, ECO Dubai, UAE

### **Military End Use and End Users and Related Country Policy**

This session will provide a brief overview of the recently revised military end-user/end-use controls contained in the Export Administration Regulations. The session will highlight licensing statistics and well as lessons-learned since the regulatory amendment became effective on June 29, 2020. The Bureau of Industry and Security (BIS) amended the Export Administration Regulations (EAR) to expand license requirements on exports, reexports, and transfers (in-country) of items intended for military end use or military end users in the People's Republic of China (China), Russia, or Venezuela. Specifically, this rule expanded the licensing requirements for China to include "military end users," in addition to "military end use," broadened the list of items for which the licensing requirements and review policy apply and expanded the definition of "military end use."

*Moderator:* Michael Rithmire, Director, Sensors and Aviation Division, Office of National Security and Technology Transfer Controls, BIS

Kelly Gardner, Senior Export Policy Analyst, Sensors and Aviation Division, Office of National Security and Technology Transfer Controls, BIS  
David Rosenberg, Ph.D, Senior Engineer, Sensors and Aviation Division, Office of National Security and Technology Transfer Controls, BIS

### **Export Compliance**

How can exporters mitigate their export vulnerabilities? What are the essential aspects of an Export Compliance Program? How does BIS handle export compliance? Attend this breakout session and hear directly from the Bureau of Industry and Security personnel from the Export Management and Compliance Division and the Munitions Control Division who handle these issues on a day-to-day basis.

*Moderator:* Orestes Theocharides, Senior Export Compliance Specialist, Export Management and Compliance Division, Office of Exporter Services, BIS  
Christopher Watson, Export Compliance Specialist, Export Management and Compliance Division, Office of Exporter Services, BIS  
Harlyn Brioso, Export Compliance Specialist, Munitions Control Division, Office of Strategic Industries and Economic Security, BIS

### **DDTC Updates**

An update from the Department of State's Directorate of Defense Trade Controls on recent and future changes to the International Traffic in Arms Regulations. A preview of what DDTC intends to accomplish in the coming year. In addition, an update on both licensing and compliance statistics, and the new DECCS system will be provided.

*Presenter:* Jae Shin, Director, Office of Defense Trade Controls Compliance, Directorate of Defense Trade Controls, Department of State

1:45 p.m.-2:00 p.m.

### **Break**

2:00 p.m. - 3:15 p.m.

### **Afternoon Breakout Sessions 2**

#### **Licensing: Back to Basics**

This session will examine the license application, license review and license issuance processes (e.g., the importance of the Letter of Explanation (LOE), interagency reviewers, license conditions, etc.). Questions addressed will include: What makes a good application? How do you craft an LOE so as to avoid unnecessary conditions? What can you do to avoid your application being returned without action? What unique requirements are there for munitions and firearms licenses? What should you expect during the process? What conditions may be imposed? What happens after approval, denial?

*Moderator:* Michael Tu, Engineer, Sensors and Aviation Division, Office of National Security and Technology Transfer Controls, BIS

Jeff Bond, Nuclear and Missile Technology Controls Division, Office of Nonproliferation and Treaty Compliance, BIS

Betty Lee, PhD., Chemical and Biological Controls Division, Office of Nonproliferation and Treaty Compliance, BIS

Adam Duvall, Munitions Control Division, Office of Strategic Industries and Economic Security, BIS

### **Foreign Policy-based Controls: Promoting Human Rights and Democracy**

This session will cover actions that BIS has taken over the past year that address human rights abuses and violations throughout the world but focus on those taken in response to China's continuing brutal repression of the Uyghur people in Xinjiang and the overthrow by the Burmese military of the democratically-elected government of that country. It will also address the 2020 revision to export licensing review policy to allow a review of all license applications for human rights concerns for all items controlled on the Commerce Control List except those controlled for short supply reasons. Additionally, it will communicate to the exporting community that licensing decisions are based in part upon whether items may be used to engage in, or enable violations or abuses of, human rights including those involving censorship, surveillance, detention, or excessive use of force.

*Moderator:* Anthony Christino III, Director, Foreign Policy Division, Office of Nonproliferation and Treaty Compliance, BIS

Kent Boydston, Export Policy Analyst, Foreign Policy Division, Office of Nonproliferation and Treaty Compliance, BIS

Sahar Hafeez, Senior Advisor, Office of the Under Secretary, BIS

Tracy Patts, Senior Export Policy Analyst, Foreign Policy Division, Office of Nonproliferation and Treaty Compliance, BIS

Steven Schrader, Senior Export Policy Analyst, Foreign Policy Division, Office of Nonproliferation and Treaty Compliance, BIS

### **Regulatory Update**

This panel recaps the amendments to the Export Administration Regulations published in the past year. The Regulatory Policy Division looks at recent rules, proposed and final.

*Moderator:* Hillary Hess, Director, Regulatory Policy Division, Office of Exporter Services, BIS

Timothy Mooney, Senior Export Policy Analyst, Regulatory Policy Division, BIS

Sheila Quarterman, Senior Export Policy Analyst, Regulatory Policy Division, BIS

Logan Norton, Export Policy Analyst, Regulatory Policy Division, BIS

### **Census AES Updates**

Join staff from the US Census Bureau's International Trade Program to hear the latest updates on the Foreign Trade Regulations and Automated Export System (AES). Panelists will also cover

frequently asked questions and common scenarios they encounter. The live Q and A portion will feature experts from Regulations, AES and Export Reports.

*Moderator:* Kiesha Downs, Branch Chief, Trade Regulations Branch, Bureau of the Census  
Paul Newman, Branch Chief, Trade Data Collection Branch, Bureau of the Census  
Stephen Jackson, Supervisor, Trade Data Collection Branch, Bureau of the Census  
Mayumi Brewster, Data User and Trade Outreach Branch, Bureau of the Census

3:15 p.m.-3:30 p.m.

## **Break**

3:30 p.m. - 4:45 p.m.

## **Export Enforcement Plenary**

Hear directly from the Acting Assistant Secretary of Export Enforcement as he provides opening remarks and strategic vision for this popular plenary session. The panel will then include updates from all major offices within Export Enforcement and comments from the Office of the Chief Counsel. The panel will conclude with a live Q & A session.

*Keynote Speaker:* Kevin J. Kurland, Acting Assistant Secretary for Export Enforcement, Bureau of Industry and Security

*Moderator:* John Sonderman, Director, Office of Export Enforcement, BIS  
Cathleen Ryan, Director, Office of Antiboycott Compliance, BIS  
Linda Minsker, Acting Director, Office of Enforcement Analysis, BIS  
Dan Clutch, Deputy Director, Office of Export Enforcement, BIS  
Opher Shweiki, Acting Chief Counsel, Office of the Chief Counsel for Industry and Security

4:45 p.m. - 5:30 p.m.

## **Open Session Q&A**

*Moderator:* Matthew Borman, Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security  
Kevin J. Kurland, Deputy Assistant Secretary for Export Enforcement, Bureau of Industry and Security  
Eileen Albanese, Director, Office of National Security and Technology Transfer Controls, BIS  
Alexander Lopes, Director, Office of Nonproliferation and Treaty Compliance, BIS  
Opher Shweiki, Acting Chief Counsel, Office of the Chief Counsel for Industry and Security