



Roundtable Discussions

Thursday, September 2, 2010

- Session 1- 9:00 to 10:00 • Session 2- 10:30-11:30
- Session 3- 1:00-2:00 • Session 4- 2:30 - 3:30

Instructions for Participants: Five minutes prior to the session, find the table for your selected topic. Every table has a color coded numbered sign. If the table is full, select another topic. You have one hour for the discussion. After the session time is up, you may select another table for the next session. You have the opportunity to participate in all four different sessions for four different topic discussions.

Export Enforcement

| | | |
|---|--|--|
| 1 | Enforcement Chat: San Jose/Dallas Offices <i>9:00 & 10:30 AM sessions only</i> | Julie Salcido George Richardson |
| The facilitators will address questions related to export enforcement, including voluntary self-disclosures, audits, practicing due diligence, etc. This is specific to the areas within and surrounding the Export Enforcement Offices in San Jose, CA and Dallas, TX offices. | | |
| 2 | Enforcement Chat: Chicago/Los Angeles Offices <i>9:00 & 10:30 AM sessions only</i> | Ron Orzel & Tony Levey |
| The facilitators will address questions related to export enforcement, including voluntary self-disclosures, audits, practicing due diligence, etc. This is specific to the areas within and surrounding the Export Enforcement Offices in Chicago, IL and Los Angeles, CA offices. | | |
| 3 | Enforcement Chat: Boston/NY Offices <i>9:00 & 10:30 AM sessions only</i> | John McKenna & Sid Simon |
| The facilitators will address questions related to export enforcement, including voluntary self-disclosures, audits, practicing due diligence, etc. This is specific to the areas within and surrounding the Export Enforcement Offices in Boston, MS and New York, NY offices. | | |
| 4 | Enforcement Chat: DC/Miami Offices <i>9:00 & 10:30 AM sessions only</i> | Rick Shimon Gordon Pomeroy |
| The facilitators will address questions related to export enforcement, including voluntary self-disclosures, audits, practicing due diligence, etc. This is specific to the areas within and surrounding the Export Enforcement Offices in Washington, DC and Miami, FL offices. | | |
| 5 | Antiboycott | Ned Weant (OAC) |
| Under the Export Administration Regulations (EAR), a US person may not refuse to do business with or in a boycotted country when such refusal is pursuant to an agreement with the boycotted country. Under the topic "Antiboycott", the facilitator will address questions regarding restrictive trade practices or boycotts, including the prohibitions, exceptions to the prohibitions, and the possible reporting requirements. | | |

Enforcement Analysis

| | | |
|---|-----------------------|--|
| 6 | End-Use Checks | Mark Roberts (OEA) Jose Rodriguez |
| Post-shipment verifications help the U.S. Government ensure that an item that was exported is being used in accordance with U.S. export control regulations and the terms of the export license. The facilitators will discuss the process of conducting these verifications and answer industry questions regarding these verifications. | | |
| 7 | ECO: Beijing | Jeannette Chu (OEE) |
| The Bureau of Industry and Security, Office of Export Enforcement, has personnel all over the world. Meet the Export Control Officer for Beijing, China. | | |

| | | | |
|--|----|---|---|
| | 8 | ECO: Abu Dhabi | Nasir Khan (OEE) |
| The Bureau of Industry and Security, Office of Export Enforcement, has personnel all over the world. Meet the Export Control Officer for Abu Dhabi, United Arab Emirates. | | | |
| | 9 | ECO: Hong Kong | Philip Ankel (OEE) |
| The Bureau of Industry and Security, Office of Export Enforcement, has personnel all over the world. Meet the Export Control Officer for Hong Kong, China. | | | |
| Compliance | | | |
| | 10 | Export Management Compliance Program - Best Practices <i>9:00 & 10:30 AM sessions only</i> HELD IN LAFAYETTE ROOM | Tom Andrukonis (EMCD) Orestes Theocharides |
| Interested in learning about smart export compliance business strategies? Looking for effective solutions to address an export compliance issue? Need guidance on developing or enhancing your export management and compliance program? The facilitators will lead the discussion on the 9 recommended elements of an effective export compliance program. | | | |
| | 11 | Office of Foreign Assets Control: Compliance | <u>AM Sessions</u> Michael Dondarski Rachel Nagle <u>PM Sessions</u> Brandon Reddington Leslie Devereaux |
| The Office of Foreign Assets Control, within the Department of Treasury, implements broad controls and enforces economic and trade sanctions against certain foreign countries. Under the topic "Office of Foreign Assets Control: Regulation", the facilitator will address questions on OFAC's compliance policy. | | | |
| | 12 | Directorate of Defense Trade Controls <i>9:00 & 10:30 AM sessions only</i> HELD IN FARRAGUT SQUARE ROOM | 9:00 AM: Bob Warren 10:30 AM: Alisa Forby |
| The Directorate of Defense Controls, within the Department of State, administers the International Traffic in Arms Regulations (ITAR) for defense articles and defense services on the US Munitions List. Under the topic "Directorate of Defense Trade Controls", the facilitator will address questions on the International Traffic in Arms Regulations. | | | |
| | 13 | Automated Export System Compliance Program | Wendy Peebles (Census) |
| The facilitator will discuss the Automated Export System (AES) and how to stay compliant with the FTR and EAR when reporting in AES. The facilitator will lead discussions on the types of problems seen with AES reporting and reporting best practices to prevent problems from occurring in the future. | | | |
| | 14 | Census Bureau - Foreign Trade Regulations | Joe Cortez (Census) |
| The Census Bureau, under the Foreign Trade Regulations, is in charge of collecting, tabulating, and publishing foreign trade data. In the furtherance of these objectives, the Census Bureau requires of exporters the filing of certain information using the Automated Export System. Under the topic "Foreign Trade Regulations", the facilitator will address questions on the new regulatory changes instituted by the Census Bureau. | | | |
| Commerce Control List Categories and Products | | | |
| | 15 | Telecommunication & Computers (Categories 4 & 5 Part 1) | Joe Young (ITCD) Anthony Koo (NSTTC) |
| Under the topic "Telecommunication & Computers", the facilitator will address questions on these specific items and its related controls. | | | |
| | 16 | Technology Controls | Bob Juste (NSTTC) Kurt Franz |
| Under the topic "Technology controls" the facilitator will address questions regarding the release of technology subject to the EAR in a foreign country or to a foreign national. | | | |

| | | | |
|--|----|--|--|
| | 17 | ENCRYPTION: QUESTION & ANSWER SESSION 1:00PM HELD IN LAFAYETTE ROOM | BIS Information Technology Controls Division NSA Representative (invited) |
| An extended "special" question and answer and further discussion session following up on the Encryption workshop - regarding the recently revised encryption provisions of the EAR. | | | |
| | 18 | Biological and Chemical Processing Equipment (Categories 1 and 2) | Betty Lee (CBC) |
| Under the topic "Biological Exports", the facilitator will address questions on these specific items and its related controls. | | | |
| | 19 | Aircraft & Avionics (Categories 7 & 9) | Gene Christiansen (SAD) |
| Under the topic "Aircraft", the facilitator will address questions on these specific items and its related controls. | | | |
| | 20 | General Industrial and Nuclear Equipment (Category 2) | George Loh (NMT) |
| Under the topic "General Industrial and Nuclear Equipment", the facilitator will address questions on these specific items and their related controls. | | | |
| | 21 | Sensors (Category 6) | Chris Costanzo (SAD) |
| Under the topic "Sensors", the facilitator will address questions on these specific items and its related controls. | | | |
| | 22 | Electronics (Category 3) | Carlos Monroy (DEED) |
| Under the topic "Electronics", the facilitator will address questions on these specific items and its related controls. | | | |
| | 23 | Crime Control | Steven Clagett (NMT) |
| The Bureau of Industry and Security (BIS) has a special interest in controlling several items for different reasons. These items are found on the Commerce Control List (CCL). Currently, the Bureau of Industry and Security has thirteen reasons for controlling items, including for crime and detection. Under the topic "Crime Control", the facilitator will address questions on these types of items. | | | |
| Authorizations and License Streamlining | | | |
| | 24 | License Exceptions | Bill Arvin (RPD) |
| License Exceptions allow exporters to export or re-export under stated conditions, items subject to the EAR that would otherwise require a license. The facilitator will address questions on how to apply these license exceptions to export transactions. | | | |
| | 25 | Special Comprehensive Licenses | Rejineta Carroll Charlotte Holden (EMCD) |
| Do you apply for multiple licenses to export to your foreign distributor or subsidiaries? If so, you should evaluate whether or not a special comprehensive license would be a better fit for you. Under the topic "Special Comprehensive Licenses", the facilitator will address questions regarding eligibility and the steps to follow to apply. | | | |
| Additional Topics | | | |
| | 26 | Freight Forwarding | Charles Wall (OCC) |
| The Export Administration Regulations (EAR) place legal responsibility on all persons who have information, authority or functions related to carrying out export transactions subject to its jurisdiction. Forwarding agents may have compliance responsibilities under the EAR even when their actions are dependent upon information or instructions give by those who use their services. Under the topic "Freight Forwarding", the facilitator will address questions on these potential responsibilities and duties forwarders may have. | | | |

| | | | |
|---|----|---|--|
| | 27 | Export Control Challenges for Growing Small to Medium Companies | Mike Hoffman (WRO) Sheila Quarterman (RPD) Robert McEntire (ITA) Doug Barry (ITA) |
| <p>Many small and medium sized companies may go through periods of growth as a result of the National Export Initiative and normal change. In doing so, they may also encounter new regulatory and compliance issues. This roundtable will focus on the more common export control challenges that small and medium sized companies face as they grow their international businesses.</p> | | | |
| | 28 | Sanctioned/Embargoed Countries | Tony Christino (FPD) Ted Curtin Alan Christian Susan Kramer Steve Schrader |
| <p>By virtue of section 6 of the Export Administration Act of 1979 and the Trading with the Enemy Act of 1917, the US can establish sanctions and embargoes against countries that threaten US National Security. Under a sanction or embargo, a license is required for exports and reexports of all items subject to the Export Administration Regulations. Under the topic "Sanctioned/Embargoed Countries", the facilitator will address questions on current policies regarding the current comprehensive embargoes and sanctioned destinations.</p> | | | |
| | 29 | Re-Exports | Tim Mooney (RPD) |
| <p>The facilitator will discuss the requirements of the EAR as they pertain to re-exports.</p> | | | |
| | 30 | Entity List/ Authorization Validated End-User | Karen Nies-Vogel |
| <p>The Export Administration Regulations (EAR) contain a list of names of certain foreign persons - including businesses, research institutions, government and private organizations, individuals, and other types of legal persons - that, on an individual basis, are subject to licensing requirements and policies supplemental to those found elsewhere in the EAR. These persons comprise the Entity List, which is found in Supplement No. 4 to Part 744 of the EAR. The facilitator will provide information on the Entity List, including its purpose and parameters, as well as tips for exporters' use of the List. The facilitator will also provide an update on the expansion of VEU in 2009 and answer questions regarding the EAR as it pertains to authorization VEU.</p> | | | |
| | 31 | Transshipment Best Practices | Donald Creed Gerry Horner (OTE) |
| <p>The Office of Technology Evaluation created a transshipment strategy that uses available data to identify potential transshipment movements of sensitive technology and the parties to the transactions within those movements. This roundtable will discuss two of the phases of the transshipment strategy, that include the data analysis and government to industry partnership to establish a new set of transshipment best practices.</p> | | | |
| | 32 | Cloud Computing: Export Control Risks and Liabilities | Sharron Cook (RPD) |
| <p>Discussion will include what is cloud or grid computing and export control issues. Discussion will also include what the liabilities are under EAR and responsible parties, as well as best practices for those involved in cloud computing.</p> | | | |