

EXPORT CONTROLS

GLOBAL COMPLIANCE STRATEGIES

May 19 & 20, 2009 • Hotel Monaco, Washington, DC

Benchmark your Export Compliance Practices with

Alliant Techsystems
Applied Materials
BAE Systems
Boeing
Citigroup
Dresser
Eastman Chemical
General Dynamics
General Electric
GE Fanuc
Goodrich
Honeywell
IBM
KBR
Life Technologies
Northrop Grumman
Rolls-Royce North America
Shell Oil
Symantec
Teledyne Technologies
United Technologies
Varian Medical Systems

Media Partners:

The Export
Practitioner

Washington Tariff & Trade Letter®

Keynote Speakers



Darryl W. Jackson
Assistant Secretary for Export Enforcement
Bureau of Industry and Security, U.S. Department of Commerce



Matthew S. Borman
Deputy Assistant Secretary
for Export Administration
Bureau of Industry and Security,
U.S. Department of Commerce



David Trimble
Director, Office of Defense Trade
Controls Compliance,
U.S. Department of State

Get the Latest Insights on:

- What **BIS, DDTC and OFAC** expect from an **effective internal export compliance program**
- Preventing **liability** for **foreign third party** violations of U.S. export and reexport controls
- Managing an **effective restricted parties screening program**
- Reducing **diversion and trans-shipment** risks
- **Training** U.S. and foreign employees on export controls requirements
- Using the **Intra-Company Transfer (ICT)** license exception
- Complying with new *de minimis* requirements
- Integrating **AES** into your global export data system
- How **dual-use** items can become **ITAR-controlled**
- Managing physical and IT access of **foreign national employees**
- Strengthening your **licensing** strategy for **China** exports and reexports

EXCLUSIVE WORKSHOPS – MAY 18 & 21, 2009

- A** The Fundamentals of Export Controls: EAR, ITAR and OFAC Demystified
- B** Classifying Articles, Technology and Services under the ITAR and EAR
- C** Global Encryption Compliance and Exemptions: A Deep Dive into U.S., Chinese and Foreign Encryption Controls

EARN
CLE
CREDITS



Register Now • 888-224-2480 • AmericanConference.com/exportcontrols

This is the critically acclaimed export controls event that you cannot afford to miss!

The U.S. continues to step up **enforcement** in all areas of international trade regulation. **Criminal prosecutions**, and **civil and criminal fines** are rising to new, unprecedented levels – **with no end on sight!** The Departments of State, Commerce, Treasury and Homeland Security are **aggressively scrutinizing** the export activities of U.S. firms and their foreign trading partners to ensure **strict compliance** with export controls and economic sanctions laws.

Heightened **BIS, DDTC and OFAC** compliance expectations, along with **recent regulatory changes**, have made it even more challenging for U.S. and foreign companies to maintain compliance in a global business environment. As export controls become increasingly confusing and restrictive, how can U.S. exporters implement effective internal export compliance programs without unduly hampering legitimate trade?

Now in its 12th successful year, **American Conference Institute's National Forum on Export Controls** is the event that export professionals rely on for practical guidance toward achieving and maintaining global export compliance. **Learn** from and **network** with leading **corporate export compliance executives** from companies such as General Electric, Northrop Grumman, IBM, Honeywell, Citigroup, Eastman Chemical, Shell, United Technologies and BAE.

Get critical **updates** and **best practices** for tackling your most pressing **global compliance challenges**. Topics will include:

- **Screening** global transactions: What is necessary for effective risk mitigation
- Minimizing the risk of **diversion** in export/reexport transactions
- Reducing the risk of **liability** for **foreign third party violations** of U.S. export/reexport controls
- **Training** U.S. and foreign employees to comply with U.S. and local export controls
- Implementing an **effective global export controls compliance program**
- When and how to use the **Intra-Company Transfer (ICT)** license exception
- Complying with recent changes to the *de minimis* rules
- When **dual-use** items can morph into "ITAR-controlled" items
- Integrating **AES** into your global export data system: Complying with new *Foreign Trade Regulations*
- Developing a successful U.S. licensing strategy for **China** exports and reexports
- Update on EU export controls.

You will also receive **invaluable reference materials** prepared by speakers exclusively for this conference that will help you **with your daily work** after the conference.

This must-attend event will fill up quickly, so register now by calling 1-888-224-2480; by faxing your registration form to 1-877-927-1563 or by registering online at www.AmericanConference.com/exportcontrols.

A MUST-ATTEND EVENT FOR

- Vice Presidents, Managers and Directors of
 - Export Controls
 - Export Compliance
 - Export Administration
 - Export Policy
 - Export Licensing
 - Government Relations
 - International (Worldwide/ Global) Trade Compliance
 - Internal Controls
- General Counsel's Office
 - VPs, Legal Affairs and Operations
 - International Trade Counsel
 - Export Compliance
- Outside Counsel specializing in
 - International Trade Law
 - Sanctions
 - Export Controls

CONTINUING LEGAL EDUCATION CREDIT



Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This *transitional* course is appropriate for both experienced and newly admitted attorneys.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board in the amount of the 15.0. An additional 4.0 credit hours will apply to workshop A, B or C participation.

ACI certifies that this activity has been approved for CLE credit by the State Bar of California in the amount of 12.5. An additional 3.5 credit hours will apply to workshop A, B or C participation.

ACI has a dedicated team who process requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

12th National Forum on EXPORT CONTROLS

A G E N D A - A T - A - G L A N C E

Pre-Conference Workshops - May 18, 2009

Workshop A: 9:00 am to 12:30 pm - The Fundamentals of Export Controls: EAR, ITAR and OFAC Demystified

Workshop B: 1:30 pm to 5:00 pm - Classifying Articles, Technology and Services under the ITAR and EAR

MAIN CONFERENCE DAY ONE – MAY 19, 2009

- 7:30 Registration Begins and Continental Breakfast
- 8:30 Co-Chairs' Opening Remarks
- 8:45 Heightened Requirements for "Effective" Export Compliance: Lessons from Recent Penalty Amounts, Disclosures, Investigations and Settlements
- 9:45 Update on the Intra-Company Transfer (ICT) License Exception: Costs and Benefits of Obtaining BIS Approval
- 10:15 Coffee Break
- 10:30 Applying Recent Changes to *De Minimis* Requirements
- 11:00 Minimizing Diversion Risks in Export/Reexport Transactions: Ensuring Adherence to Your Export Controls Policy
- 11:45 Training Employees to Comply with U.S. and Local Export Controls: Balancing Budgetary Constraints with Internal Training Needs
- 12:30 Networking Luncheon
- 1:45 Keynote Address
- 2:15 Dual-Use Items: When and How Your Product Can Become "ITAR-Controlled"
- 3:15 Coffee Break
- 3:30 Strengthening Your Global Transaction Screening Program: How Far You Need to Go for Effective Risk Mitigation
- 4:30 Implementing an Effective U.S. Licensing Strategy for China Exports and Reexports
- 5:30 Conference Adjourns

MAIN CONFERENCE DAY TWO - MAY 20, 2009

- 8:30 Opening Remarks from the Co-Chairs
- 8:45 Preventing Liability for Foreign Third Party Violations of U.S. Export/Reexport Controls
- 10:00 Coffee Break
- 10:15 Implementing a Global Export Controls Compliance Program
- 11:15 What to Do if You Discover Worldwide U.S. and Local Export Controls Violations: Conducting Internal Investigations and Implementing Corrective Action
- 12:15 Networking Luncheon
- 1:30 Keynote Address
- 2:00 Screening and Managing the Access of Foreign National Employees
- 2:45 Update on European Export Controls: Practical Application of EU Requirements
- 3:30 Coffee Break
- 3:45 Integrating AES into your Global Export Compliance Data System
- 4:15 Quantifying and Remediating a Target's Export Violations: M & A Due Diligence and Post-Closing Strategies
- 5:00 Conference Concludes

Post-Conference Workshop - May 21, 2009 | 9:00 am to 12:30 pm

Workshop C - Global Encryption Compliance and Exemptions: A Deep Dive into U.S., Chinese and Foreign Encryption Controls

GLOBAL SPONSORSHIP OPPORTUNITIES

ACI, along with our sister organization based in London, C5 Conferences, works closely with sponsors in order to create the perfect business development solution catered exclusively to the needs of any practice group, business line or corporation. With over 350 conferences in the United States, Europe, the Commonwealth of Independent States (CIS) and China, ACI/C5 Conferences provides a diverse portfolio of first-class events tailored to the senior level executive spanning multiple industries and geographies.

For more information about this program or our global portfolio of events, please contact:

Wendy Tyler

Group Leader & Business Development Executive
American Conference Institute

Tel: 212-352-3220 x242 • Fax: 212-220-4281 • w.tyler@AmericanConference.com

Register now: 888-224-2480 • Fax: 877-927-1563 • AmericanConference.com/exportcontrols

TUESDAY, MAY 19, 2009

7:30 **Registration Begins and Continental Breakfast** ☕

8:30 **Co-Chairs' Opening Remarks**

James A. (Del) Renigar
Senior Counsel, International Policy & Trade Regulation
General Electric (Washington, DC)

William M. McGlone
Latham & Watkins LLP (Washington, DC)

8:45 **Heightened Requirements for "Effective" Export Compliance: Lessons from Recent Penalty Amounts, Disclosures, Investigations and Settlements**

Darryl W. Jackson
Assistant Secretary for Export Enforcement
Bureau of Industry and Security,
U.S. Department of Commerce (Washington, DC)

Marynell DeVaughn
Vice President and Associate General Counsel
Washington Operations, Alliant Techsystems Inc.
(Arlington, VA)

William M. McGlone
Latham & Watkins LLP (Washington, DC)

- What DDTC, BIS and OFAC expect from an internal export compliance program
- How fines/penalties are being applied and which violations have proven most costly
- Application and anticipated changes to licensing and compliance requirements
- How export compliance programs should be structured to maximize mitigation of penalties
- When a voluntary disclosure is a "mitigating factor": How BIS, OFAC and DDTC assess voluntary disclosures

9:45 **Update on the Intra-Company Transfer (ICT) License Exception: Costs and Benefits of Obtaining BIS Approval**

Edward L. Rubinoff
Akin Gump Strauss Hauer & Feld, LLP (Washington, DC)

- Status of the rule
- Complying with reporting and mandatory disclosure requirements
- Qualifying for the license exception: Pros and cons of using the ICT license exception
- Requirements for an ICT internal control plan
- Implementing additional safeguards for non-U.S. national employees
- How BIS will audit a company's use of the license exception

10:15 **Coffee Break** ☕

10:30 **Applying Recent Changes to De Minimis Requirements**

Benjamin H. Flowe, Jr.
Berliner, Corcoran & Rowe, L.L.P. (Washington, DC)

- To what extent the new rules facilitate qualification for *de minimis* treatment
- Differing *de minimis* standards in EAR vs. OFAC rules
- Calculations for foreign produced hardware that is bundled with U.S.-origin software: Key methodologies
- Definition of "controlled" and "incorporate"
- When a U.S. company can help foreign affiliates perform *de minimis* calculations
- Definition of "facilitation" and how a U.S. subsidiary can remain sufficiently independent to trade outside the scope of the rules

11:00 **Minimizing Diversion Risks: Ensuring Adherence to Your Export Controls Policy**

Erin L. Crockett
Director, Corporate Global Trade Compliance
Ethics & Compliance Department
Dresser, Inc. (Addison, TX)

Marlene L. Tarbell
Director, Trade Licensing & Compliance
General Dynamics Corporation (Falls Church, VA)

- Educating third parties on diversion requirements
- Identifying and addressing critical diversion warning signs and risks
- Evaluating and documenting *de minimis* analyses: BIS, OFAC, DDTC
- Identifying and licensing deemed reexports
- Terminating a third party relationship after diversion: What DDTC, BIS and OFAC expect/require

11:45 **Training Employees on Export Controls Compliance: Balancing Budgetary Constraints with Internal Training Needs**

Natalia Geren Shebadeh
Senior Counsel - Export Controls
Shell Oil Company (Houston, TX)

Douglas Whitlow
Acting Director, Global Trade Compliance
Rolls-Royce North America (Indianapolis, IN)

- What resources BIS, DDTC and OFAC expect companies to devote to training
- How agencies evaluate internal training programs
- Conducting a cost/benefit analysis: Effective training without cutting corners
- Who should conduct training, and how to train the trainer
- Pros and cons of online vs. in-person training tools
- Training in foreign languages: Key challenges and pitfalls
- Teaching employees how to identify potential violations: Special considerations for sales, management and compliance personnel
- Frequency and scope of "refresher" training: Identifying areas of weakness for further training

12:30 **Networking Luncheon**

1:45 **Keynote Address**

Matthew S. Borman
Deputy Assistant Secretary for Export Administration
Bureau of Industry and Security
U.S. Department of Commerce (Washington, DC)

2:15 **Dual-Use Items: When and How Your Product Can Become “ITAR-Controlled”**

Christine Lee
International Trade Counsel
United Technologies Corporation (Washington, DC)

Peter Lichtenbaum
Vice President, Regulatory Compliance and International Policy
BAE Systems (Arlington, VA)

- When commercial items are ITAR-controlled
- Factors to consider when determining whether an item is ITAR controlled
- Latest trends in commodity jurisdiction and export classification
- Designing around ITAR controls: Educating your engineers to avoid ITAR application
- Transparency: Specifically designed or modified parts and components
- Non-reviewability of designation of items as defense articles
- How ITAR-controlled items can be moved to EAR jurisdiction

3:15 **Coffee Break ☕**

3:30 **Strengthening Your Global Transaction Screening Program: How Far You Need to Go for Effective Risk Mitigation**

Tinna Beldin
Senior Manager, International Trade Compliance
KBR, Inc. (Houston, TX)

Serena D. Moe
Assistant General Counsel
Citigroup Inc. (Washington, DC)

- Proliferation of U.S. and non-U.S. lists: Managing different risks and screening requirements
- How to deal with “hits” and resolving “false positives”
- Screening and verifying intermediaries, end-users and end-uses
- Who to screen beyond customers
- When and how often to re-screen, and screen for changes in your customer base
- Managing conflicts between global privacy vs. screening requirements
- Integrating a screening operation into an order fulfillment process vs. shipping
- Complying with “foreign policy-based” export controls in the EAR and the Entity List

4:30 **Implementing an Effective Licensing Strategy for China Exports and Reexports**

Karen Murphy
Senior Director, Trade (LCB)
Applied Materials (Santa Clara, CA)

David J. Levine
McDermott Will & Emery (Washington, DC)

- Impact of Intra-Company License exception on exports/reexports to China
- Identifying licensing requirements through export classification and commodity jurisdiction analysis
- Structuring and presenting export and reexport license applications
- Communicating with Commerce officials before, during, and after the licensing process
- Managing export license conditions and scope limitations
- How to navigate the Operating Committee process

5:30 **Conference Adjourns**

WEDNESDAY, MAY 20, 2009

8:30 **Opening Remarks from the Co-Chairs**

8:45 **Preventing Liability for Foreign Third Party Violations of U.S. Export/Reexport Controls**

Nancy Boughton
Director of Worldwide Trade Compliance
Varian Medical Systems (Palo Alto, CA)

Vera A. Murray
Director, Governmental Programs,
Export Regulation Office
IBM Corporation (Washington, DC)

James A. (Del) Renigar
Senior Counsel, International Policy & Trade Regulation
General Electric (Washington, DC)

Stephan E. Becker - Lead Panelist & Moderator
Pillsbury Winthrop Shaw Pittman LLP (Washington, DC)

- Non-U.S. distributors, OEMs and customers: What recent cases tell us about potential liability for third party export and reexport violations
- Selecting and conducting due diligence of foreign third parties
- Minimizing the risks of foreign third party exports to embargoed destinations that incorporate your products
- Structuring contracts with foreign third parties: Fees, commissions, indemnification, insurance provisions, audit rights and NDAs
- When and how much to train foreign third parties in U.S. export control compliance
- Monitoring foreign third party compliance
- Recordkeeping: What documents/information to collect from foreign third parties, and how to review them
- When and how to exercise contractual audit rights

10:00 **Coffee Break ☕**

10:15 **Implementing a Global Export Controls Compliance Program**

Lori A. Manca
Senior Counsel
Life Technologies Corporation (Frederick, MD)

Dale Rill
Director, International Trade, Export Control & Compliance
Honeywell International Inc. (Washington, DC)

Josephine Aiello Lebeau – Lead Panelist & Moderator
Wilson, Sonsini, Goodrich & Rosati (Washington, DC)

- Designing and staffing a global compliance program: Integrating existing policies or procedures into a new global enterprise
- Resolving U.S. regulatory/legal conflicts with foreign requirements
- Implementing a global licensing strategy: Streamlining your approach to meeting local requirements and securing approvals
- Finding the right local experts
- How to monitor U.S. compliance of non-U.S. managed and directed enterprises

11:15 What to Do if You Discover an Export Controls Violation: Conducting Internal Investigations and Implementing Corrective Action in the U.S. and Abroad

Melanie S. Cibik

Vice President, Associate General Counsel and Assistant Secretary
Teledyne Technologies Incorporated (Thousand Oaks, CA)

Denise Lester

Senior Manager, Compliance & Internal Controls
Office of Internal Governance, Global Trade Controls
The Boeing Company (Arlington, VA)

F. Amanda DeBusk

Hughes Hubbard & Reed LLP (Washington, DC)

- Conducting internal investigations in the U.S. vs. across the globe: Key differences
- Preserving and collecting records
- Conducting employee interviews
- Reporting to U.S. and foreign authorities: When/how to do voluntary disclosures
- Re-adjusting your global licensing strategy after a violation: When voluntary disclosures must precede license applications
- Implementing corrective action to comply with U.S. and foreign requirements
- Communicating with employees to remedy and prevent repeat violations
- Scope and limits of attorney-client and work product privileges

12:15 Networking Luncheon

1:30 Keynote Address

David Trimble

Director, Office of Defense Trade Controls Compliance,
U.S. Department of State (Washington, DC)

2:00 Screening and Managing the Access of Foreign National Employees

Deborah S. Gille

Counsel, International Trade Controls
GE Fanuc Intelligent Platforms (Charlottesville, VA)

Eric R. McClafferty

Kelley Drye & Warren LLP (Washington, DC)

- Obtaining and administering license approvals for “dual” and “third national” employees
- Screening foreign nationals without discriminating on the basis of national origin: Interplay of EU, Australian and Canadian human rights and privacy laws
- Implementing effective IT & physical controls: Managing access to restricted areas and company networks
- Ensuring compliance by engineers and technical personnel in the U.S. and abroad
- Overcoming technology transfer challenges posed by foreign acquisitions

- Implementing a global technology control plan required by U.S. regulations and CFIUS
- Meeting recordkeeping requirements

2:45 Update on European Export Controls: Practical Application of EU Requirements

John Grayston

Grayston & Company (Brussels, Belgium)

- Update on proposed regulatory changes
- Implementation and enforcement of EU export/reexport controls and sanctions
- Obtaining and implementing a Community General Export Authorization (CGEA)
- Complying with EU dual-use requirements and country-specific requirements
- Reconciling conflicting EU vs. country-specific licensing frameworks

3:30 Coffee Break ☕

3:45 Integrating AES into your Global Export Compliance Data System

Gary Hallen

Senior International Trade Manager
Eastman Chemical Company (Kingsport, TN)

- How census data is being used for enforcement purposes
- Application of requirements and penalties under the new *Foreign Trade Regulations*
- Assessing the quality and accuracy of information provided by agents and freight forwarders
- Risks and benefits of automated screening: Blending human and IT tools for optimal compliance
- Sharing AES info with foreign governments: Key considerations
- Overcoming recordkeeping and IT challenges
- Vetting AES vendors: How to assess their integrated solutions, including restricted party, sanction and embargo, licensing and end-use screening
- Structuring agreements with vendors: Checklist

4:15 Quantifying and Remediating a Target's Export Violations: M & A Due Diligence and Post-Closing Strategies

Larry E. Christensen

Miller & Chevalier (Washington, DC)

- Quantifying risks regarding export violations: Impact of pre-closing “red flags” on the purchase price and fate of the transaction
- Remediating a target company's export violations
- When to file voluntary disclosures
- How to deal with warranties, representations and indemnities required by lenders regarding export controls
- Post-closing implementation: Bringing the acquired target into the compliance fold

5:00 Conference Concludes



ALUMNI

Expand Your Network

The complimentary ACI Alumni Program is designed to provide returning delegates with unique networking and learning opportunities beyond the scope of their conference experience.

Highlights include:

- Search for and contact fellow Alumni
- Post a question or look for answers in our Industry Forums
- Join a live Industry Chat in progress
- Build your own community

- Earn Forum points towards free conferences & workshops

Expand your network at www.my-aci.com

PRE-CONFERENCE WORKSHOPS - MAY 18, 2009

A 9:00 am – 12:30 pm | THE FUNDAMENTALS OF EXPORT CONTROLS: EAR, ITAR AND OFAC DEMYSTIFIED

James E. Bartlett

Senior Counsel, Export/Import,
Northrop Grumman Corporation (McLean, VA)

Darren P. Riley

Huffman Riley Kao PLLC
(Washington, DC)

Whether you are new to the field of export controls or seeking a comprehensive refresher, this is an invaluable opportunity to revisit intricate EAR, ITAR and OFAC controls, the mandates of federal agencies and the export items they regulate. This practical and interactive workshop will provide you with the nuts and bolts for dealing with day-to-day export compliance challenges, procedures and requirements and help you benefit from the advanced discussions that are the hallmark of the main conference.

- What qualifies as an export?
 - goods and services
 - software
 - deemed exports
 - what an export is not
 - technology
- Identifying agencies that regulate exports
 - what the Department of State oversees
 - Department of Treasury's role in sanctions and embargoes
 - Department of Commerce regulations and role relative to the Department of State

- enforcement role of U.S. Customs and Border Protection
- where the Department of Energy fits in the export controls scheme
- Export acronyms demystified: AECA, BIS, CBP, DDTTC, DTSA, DTRA, EAA, EAR, ECCN, ITAR, MLA, NISPOM, OFAC, SED, TAA, TCR, TTCP, USML
- Who you CAN'T do business with: Embargoed countries and denied parties
- The difference between defense and "dual-use" items
- Which exports require a license
- Deemed exports to foreign persons
- Exemptions
- The difference between "US persons," "foreign persons," and "foreign nationals"
- When export laws affect imports
- Export controls in merger and acquisition transactions
- Screening: What you should know about your customers, suppliers, and vendors
- Why you should get familiar with your company's EMS
- Where to find help: Websites with useful information
- Examples and case studies

B 1:30 pm – 5:00 pm | CLASSIFYING ARTICLES, TECHNOLOGY AND SERVICES UNDER THE ITAR AND EAR

Debi L.G. Davis

Vice President, International Trade
Goodrich Corporation (Arlington, VA)

John P. Barker

Arnold & Porter LLP
(Washington, DC)

Appropriate classification under the ITAR and EAR is one of the most complex challenges facing export compliance professionals and legal counsel. Without proper classification, your company could be operating without required licenses on a worldwide basis, placing your business at risk of being shut down by enforcement officials, and slapped with staggering penalties and litigation costs. Do you have the tools for conducting an error-free ITAR jurisdiction analysis? Are you certain about when you need to submit a CJ Request and how?

Using case studies and hands-on examples, Workshop Leaders will provide you with the tools and strategies you need to navigate the jurisdictional and CJ request minefield. Ample time will be left for Q & A, so come prepared with your classification questions!

- How to classify your articles, technology and services: Conducting an effective ITAR jurisdiction analysis
 - when defense articles, technology and related services are "ITAR controlled"
 - how original design intent, government funding, R&D, testing, specifications, underlying technology, tamper-proofing and intended market factor can affect the classification
 - clarifying ITAR application to commercial and "dual-use" items

- the "specially designed or modified" reach of the ITAR
- the "see-through" rule and how it can apply to your products
- commingling and integrating commercial and defense technologies: Impact on classification
- What is covered by the Commerce Control List, and how to classify Commerce Department controlled goods, technology and software
- When and how to pursue a Commerce classification ruling, and what Commerce expects/requires
- When and how to draft Commodity Jurisdiction (CJ) Requests
 - who should prepare CJ requests and when
 - pros and cons of an official U.S. Government determination vs. self determination
 - what agencies expect and how to expedite the process
 - State Department guidelines for preparing CJ requests: what you need to submit, what supporting material to include and upcoming changes
 - driving factors in CJ determinations: Recent trends in rulings and lessons learned
 - what to do when your product has migrated from military to commercial use without a CJ
 - how to "commercialize" existing USML items to break free of ITAR controls
- How ITAR-controlled items can migrate to EAR jurisdiction

POST-CONFERENCE WORKSHOP - MAY 21, 2009

C 9:00 am – 12:30 pm | GLOBAL ENCRYPTION COMPLIANCE AND EXEMPTIONS: A DEEP DIVE INTO U.S., CHINESE AND FOREIGN ENCRYPTION CONTROLS

Helen W. King

Director, Global Trade Compliance
Symantec Corporation (Cupertino, CA)

Steven Brotherton

Fragomen, Del Rey, Bernsen &
Loewy, LLP (San Francisco, CA)

Have you made sense of a complicated web of U.S. and foreign encryption requirements? Do you understand how encryption is regulated in the U.S. and abroad? BIS recently revised the rules for encryption exports in an effort to simplify them, but the rules remain very confusing. Moreover, it is critical to reconcile foreign requirements with complicated U.S. rules and exemptions.

This workshop will take you through the ins and outs of U.S., Chinese and other foreign encryption controls, key exemptions, and common pitfalls to avoid. Learn how recent encryption developments impact your organization, and what changes you need to prepare for now.

The Workshop Leaders will make time for meaningful Q & A and discussion. Don't miss this opportunity to answer critical questions impacting your daily work!

- U.S. Encryption update: New requirements under the EAR and their impact on your compliance program
- Complying with EAR requirements affecting "ancillary cryptography" and the classification of "mass-market" products
 - applying license exceptions

- strategies for dealing with encryption re-exports
- providing technical assistance to non-U.S. parties
- how public domain or publicly available information may still be subject to the EAR if it contains encryption
- identifying encryption "technology" versus "software" and the licensing ramifications for each
- Encryption Import Regulations: China, Russia, France, Israel
- Global export requirements: Overview of EU, Asia and Israel
 - what constitutes "encryption" under foreign requirements vs. U.S. encryption controls
 - what types of approvals are necessary for foreign manufactured encryption products, and how to obtain them
 - interpreting and applying license exemptions
- Developing an encryption compliance strategy for your entire global supply chain
- Complying with U.S. and foreign end-use controls
- Identifying and assessing in-house encryption technologies
- Communicating with engineers: What types of questions to ask
- Training engineers on encryption compliance: Effective tools

© American Conference Institute, 2008

Register now: 888-224-2480 • Fax: 877-927-1563 • AmericanConference.com/exportcontrols

EXPORT CONTROLS

GLOBAL COMPLIANCE STRATEGIES

May 19 & 20, 2009 • Hotel Monaco, Washington, DC

INTERACTIVE WORKSHOPS:

May 18 & 21, 2009

- A** The Fundamentals of Export Controls: EAR, ITAR and OFAC Demystified
- B** Classifying Articles, Technology and Services under the ITAR and EAR
- C** A Deep Dive into U.S., Chinese and Foreign Encryption Controls

REGISTRATION FORM

PRIORITY SERVICE CODE:

664L09_INH

ATTENTION MAILROOM: If undeliverable to addressee, please forward to:
VP, Director of: International Trade, Export Compliance; International Trade Counsel



Can be recycled

CONFERENCE CODE: **664L09-WAS**

YES! Please register the following delegate for **EXPORT CONTROLS**

NAME _____ POSITION _____

APPROVING MANAGER _____ POSITION _____

ORGANIZATION _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE _____ FAX _____

EMAIL _____ TYPE OF BUSINESS _____

FEE PER DELEGATE	Register & Pay by Mar 27, 2009	Register & Pay by Apr 24, 2009	Register after Apr 24, 2009
<input type="checkbox"/> Conference Only	\$1895	\$1995	\$2195
<input type="checkbox"/> Conference & 1 Workshop <input type="checkbox"/> A, <input type="checkbox"/> B or <input type="checkbox"/> C	\$2495	\$2595	\$2795
<input type="checkbox"/> Conference & 2 Workshops <input type="checkbox"/> A, <input type="checkbox"/> B or <input type="checkbox"/> C	\$3095	\$3195	\$3395
<input type="checkbox"/> Conference and all 3 workshops	\$3595	\$3695	\$3895

I would like to add ___ copies of the conference materials on CD-ROM to my order – \$299 each

I cannot attend but would like information regarding conference publications

Please send me information about related conferences

PAYMENT

Please charge my VISA MasterCard AMEX Please invoice me

Number _____ Exp. Date _____

Signature _____
(for credit card authorization and opt-in marketing)

I have enclosed my check for \$ _____ made payable to
American Conference Institute (T.I.N.—98-0116207)

Wire Transfer (\$USD)

Please quote the name of the 664L09 as a reference.

Bank Name: M & T Bank

Address: One Fountain Plaza, Buffalo, NY, 14203, USA

Swift / ABA No: 022 0000 46

Account Name: American Conference Institute

Account Number: 16485906

5 Easy Ways to Register

- MAIL** **American Conference Institute**
41 West 25th Street
New York, NY 10010
- PHONE** 888-224-2480
- FAX** 877-927-1563
- ONLINE**
AmericanConference.com/exportcontrols
- EMAIL**
CustomerService@AmericanConference.com

Hotel Information

American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly and mention the "ACI Export Controls" conference to receive this rate:

VENUE: Hotel Monaco Washington, DC

ADDRESS: 700 F Street, NW, Washington, DC 20004

RESERVATIONS: 877-202-5411 or 202-628-7177

Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches and refreshments.

Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

Cancellation and Refund Policy

Substitution of participants is permissible without prior notification. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other **ACI** conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. **ACI** reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by **ACI** for changes in program date, content, speakers or venue.

Incorrect Mailing Information

If you would like us to change any of your details please fax the label on this brochure to our Database Administrator at 1-877-927-1563, or email data@AmericanConference.com.

CONFERENCE PUBLICATIONS

To reserve your copy or to receive a catalog of **ACI** titles go to www.aciresources.com or call 1-888-224-2480.

SPECIAL DISCOUNT

We offer special pricing for groups and government employees. Please email or call for details. Promotional Discounts May Not Be Combined. **ACI** offers financial scholarships for government employees, judges, law students, non-profit entities and others. For more information, please email or call customer care.