

July 21, 2009
COMPLIANCE PROGRAM AGENDA

**How to Develop An
Export Management and Compliance Program**

7:15 – 8:00 Registration and Breakfast

GETTING STARTED

8:00 – 8:15 Welcome & Opening Remarks

8:15 – 8:30 Program Overview

COMMERCE/EAR COMPLIANCE: NINE CORE COMPLIANCE ELEMENTS

8:30 – 9:00 The Basics: Theoretical Construct of Compliance

- Why Bother... What's In It For You
- The Foundation of Effective Compliance
- Effective Compliance Defined
- Most Common Mistakes to Avoid

9:00 – 9:45 Management Commitment (1)

The Most Critical Compliance Component

- The TMC Principle & Compliance Culture
- Obstacles/Strategies for Obtaining Management Buy-In
- Corporate Commitment (✓) Now What?

9:45 – 10:15 Continuous Risk Assessment (2)

Assessing Your Compliance Needs and Vulnerabilities

- 3 Rs: Risk, Resources, and Responsibilities
- Keeping Up, Evaluating Impact, Defining Needs, and Taking Action
- Assessment Tool

10:15 – 10:30 BREAK

10:30 – 11:00 Formal Written EMCP Program (3)

Power of the Written Word

- Your Compliance Mantra
- Operational Plan vs. Policy Document
- Key Things to Remember

11:00 – 11:30 Ongoing Compliance Training and Awareness (4)

Investing In Your Most Critical Compliance Asset

- Elements of an Effective Training Program
- Raising Awareness
- Adult Learners

11:30 – 12:00 Written Compliance Program Example

12:00 – 1:15 LUNCH

1:15 – 2:15 Cradle to Grave Export Compliance Security (5)

Compliance Safeguards Throughout the Supply Chain

- Compliance Lifecycle Considerations
- Jurisdiction, Classification, and License Determination
- Screening Based on Lists, Activities, and Red Flags
- Safeguards Before & During the License Application Process

2:15 – 2:30 BREAK

2:30 – 3:00 Adherence to Recordkeeping Requirements [EAR Part 762] (6)

Telling Your Compliance Story

- Creating an Audit Trail
- Records Life Cycle
- Areas Not to Overlook

3:00 – 3:30 Internal/External Monitoring and Periodic Audits (7)

Peace of Mind Assurance (and Insurance)

- Structuring Your Compliance Audit Program
- Anatomy of an Audit

3:30 – 4:15 EMCP Business Case Review

4:15 – 4:30 BREAK

4:30 – 5:15 Program for Handling Compliance Problems and Completing Appropriate Corrective Actions (8) & (9)

When What Shouldn't Happen, Does Happen

- A Company's Best Defense
- Notification and Escalation
- Corrective Action

5:30 WRAP UP Day 1 Evaluations Please

WHEW! Happy Day One Is Over Time!!!

COMPLIANCE PROGRAM AGENDA

How to Develop An Export Management and Compliance Program

7:15 – 8:00 **Breakfast**

COMMUNITY OF PRACTICE COMPLIANCE PERSPECTIVE

8:00 – 9:15 **Lessons Learned From the Trenches**

**Everything You Ever Wanted To Know, But Were Afraid To Ask....
Compliance Advice From Your Community of Practice**

9:15 – 9:30 **BREAK**

COMMERCE CENSUS BUREAU AES COMPLIANCE

9:30 – 10:45 **Automated Export System (AES) Compliance**

- Foreign Trade Regulations – Mandatory AES Filing
- AES Filing Exemptions
- AES Downtime Policy
- Pre-Departure Filing Time Frames: Differences for EAR & ITAR
- Who is Responsible for EEI Filings
- Routed Transactions
- AES Best Practices
- Most Common AES Noncompliance Issues
- Penalties for Noncompliance and Mitigating Factors
- AES Compliance Review Program
- AES Record Retention
- Preparing an AES Voluntary Self Disclosure
- How To Request A Compliance Report For Your Company
- Where To Go For Help
- Census/AES Q&A

10:45 – 11:00 **BREAK**

COMMERCE ANTIBOYCOTT COMPLIANCE

11:00 – 12:15 **Antiboycott Compliance**

- Antiboycott Regulatory Compliance
 - Trends in Prohibited Boycott Requests
 - Lessons Learned From Recent Antiboycott Cases
 - Antiboycott Safeguards and Compliance Best Practices
 - What To Do If You Experience or Engage In Prohibited Boycott Activity
 - Preparing an Antiboycott Voluntary Self Disclosure
 - Anatomy of an Antiboycott Case
 - Antiboycott Penalty Guidelines
 - Mitigating Factors
 - Sample Cases of Prohibited Antiboycott Language
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12:15 – 1:30 LUNCH

TREASURY OFFICE OF FOREIGN ASSETS CONTROL COMPLIANCE

- 1:30 – 2:30 Achieving Effective Treasury/OFAC Compliance**
- About OFAC
 - Sanctions Program Compliance
 - OFAC Licensing Compliance
 - Implementing Internal Controls for an Effective OFAC Compliance Program
 - OFAC Risk Assessment and Most Frequent Trade Related Violations
 - Where to Go For OFAC Compliance Help
 - OFAC Advice for the Compliance Manager

2:30 – 2:45 BREAK

ANATOMY OF A GOVERNMENT ON-SITE VISIT

2:45 – 4:00 Compliance Advice: What to Expect and How to Prepare

U.S. Government Compliance Visits

- Office of Antiboycott Compliance, U.S. Department of Commerce
- Census Bureau, U.S. Department of Commerce
- Office of Foreign Assets Control, U.S. Department of Treasury
- U.S. Department of State
- Questions and Answers

4:00 – 4:15 BREAK

STATE DEPARTMENT EXPORT COMPLIANCE

- 4:15 – 5:30 Achieving Effective State/ITAR Compliance**
- Key ITAR Regulatory Compliance Issues
 - Key Elements for Effective ITAR Compliance: Tools and Resources
 - Advice for the ITAR Compliance Manager / Best Practices
 - Compliance with the State Registration Process
 - Exemptions and License Agreement Compliance
 - Common ITAR Errors and Violations To Avoid
 - ITAR Cases: What Went Wrong
 - Civil and Criminal ITAR Enforcement Trends
 - Penalties and Justice Guidelines
 - Mitigating Factors in ITAR Cases
 - Suggested Reading
 - State Q&A

5:30 Final Wrap-Up... Evaluations Please