



EIB World Trade Headlines

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January 15, 2016 - Volume 9, Issue 2

Inauguration Day Jan 20

Industry Notice: *Modifications due to the Inauguration Day holiday (01.20.17)*

Inauguration Day falls on Friday, January 20, 2017, and is a legal public holiday **only** for Federal employees who work in the “Inauguration Day area” (defined in law as the District of Columbia, Montgomery and Prince George’s Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia). (See 5 U.S.C. 6103(c).) As such DDTC offices will be closed on January 20, 2017.

- The DDTC’s 3:00 PM drop-off/pick-up in the second floor lobby for Friday, January 20, 2017 is cancelled.

- The DDTC Response Team and DDTC Help Desk will not be taking calls or responding to emails on Friday, January 20, 2017.

NEWSLETTER NOTES

*Inauguration Day Jan 20

* Federal Register Notices 2017

* Federal Register

* Trainings

* Important Technical Announcement for Users of OFAC’s Sanctions List

* Here are three ways trade is linked to our economic strength:

* Department of State

Federal Register Notices 2017

1/4/17

82 FR 722

Addition of Certain Entities to the Entity List

This final rule amends the Export Administration Regulations (EAR) by adding five entities to the Entity List. These five entities have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. BIS is taking this action in conjunction with the designations made by the Office of Foreign Asset Controls, Department of the Treasury, under amended Executive Order 13694. On December 29, 2016, the President issued an Executive Order Taking Additional Steps To Address The National Emergency With Respect To Significant Malicious Cyber-Enabled Activities, which amended Executive Order 13694. With this action, the existing authorities have been amended to also allow for the imposition of sanctions on individuals and entities determined to be responsible for tampering, altering, or causing the misappropriation of information with the purpose or effect of interfering with or undermining election processes or institutions. Five entities and four individuals are identified in the Annex of the amended Executive Order and have been added to OFAC's list of Specially Designated Nationals and Blocked Persons (SDN List). BIS, pursuant to Executive Order 13694, as amended, and in consultation with the Departments of State, Defense, Energy, and the Treasury, has designated five of these entities for addition to the Entity List. This EAR final rule lists these entities on the Entity List under the destination of Russia.

12/27/16

81 FR 94971

Commerce Control List: Updates Based on the 2015 and 2016 Nuclear Suppliers Group (NSG) Plenary Meetings; Conforming Changes and Corrections to Certain Nuclear Nonproliferation (NP) Controls.

This final rule amends the Export Administration Regulations (EAR) to reflect the understandings reached at the June 2015 Nuclear Suppliers Group (NSG) Plenary meeting held in Bariloche, Argentina, and certain understandings reached at the 2016 NSG Plenary meeting held in Seoul, Republic of Korea. The amendments to the EAR based on the 2015 meeting address the nuclear nonproliferation (NP) controls that apply to certain centrifugal multiplane balancing machines described under ECCN 2B229 on the Commerce Control List (CCL). The amendments to the EAR based on the 2016 meeting address the NP controls that apply to certain linear displacement measuring systems described under ECCN 2B206 on the CCL. This rule also makes additional changes to ECCN 2B206 to make the description of these systems fully conform to their description on the NSG Annex. In addition,

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this rule corrects an error in the description of NP-controlled radiation-hardened TV cameras (including lenses therefor) in ECCN 6A203.

BIS Final Rule

12/27/16

81 FR 94963

Russian Sanctions: Addition of Certain Entities to the Entity List, and Clarification of License Review Policy

This final rule amends the Export Administration Regulations (EAR) by adding twenty-three entities to the Entity List. The twenty-three entities who are added to the Entity List have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. BIS is taking this action to ensure the efficacy of existing sanctions on the Russian Federation (Russia) for violating international law and fueling the conflict in eastern Ukraine. These entities will be listed on the Entity List under the destinations of Russia and the Crimea region of Ukraine. In addition to the Entity List changes described above, this final rule revises the licensing policy in three sections of the Commerce Control List (CCL)-based controls in the EAR to clarify that BIS's review of license applications for exports, reexports and transfers (in-country) to Russia will take into account and protect U.S. national security interests.

BIS Final Rule

12/27/16

81 FR 94962

Burma: Amendment of the Export Administration Regulations Consistent with an Executive Order that Terminated U.S. Government's Sanctions

In this rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) consistent with Executive Order 13742 of October 7, 2016. That Executive Order terminated the national emergency with respect to the actions and policies of the Government of Burma (Burma) and revoked several Burma-related Executive Orders in recognition of Burma's substantial advances to promote democracy, including historic elections held in November 2015 that resulted in the formation of a democratically elected, civilian-led government. Specifically, in this rule, BIS removes license requirements and other restrictions on exports, reexports or transfers (in country) of items subject to the EAR made to persons whose property and interests in property were blocked pursuant to three Burma-related Executive Orders that were revoked on October 7, 2016. Consistent with the revised U.S. policy toward Burma, this rule also moves Burma from Country Group D:1 to Country Group B, a less restrictive country group placement under the EAR.

BIS Rule

Federal Register

<https://s3.amazonaws.com/public-inspection.federalregister.gov/2016-31655.pdf>

Billing Code: 4710-25

DEPARTMENT OF STATE

22 CFR Parts 120, 123 and 126

[Public Notice: 9811]

RIN 1400-AE07

International Traffic in Arms Regulations: International Trade Data System, Reporting

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The Department of State amends the International Traffic in Arms Regulations (ITAR) to enable U.S. Customs and Border Protection (CBP) to implement the International Trade Data System (ITDS), which will allow businesses to electronically submit the data required to import or export cargo, as provided by Executive Order 13659 and the Security and Accountability for Every Port Act of 2006 (SAFE Port Act).

DATES: This final rule is effective on December 31, 2016.....



Trainings

**The Bureau of Industry and Security
Western Regional Office**

Co-sponsored by:

**The Professional Association of Exporters and Importers
(PAEI)**

Presents

**The 12th Annual Export Control Forum
February 21-22, 2017
Santa Clara, California**

The Export Control Forum is a one-and-a-half day program dedicated to bringing the business community up-to-speed on the latest initiatives underway in the export control field, including the latest developments in the Export Control Reform initiative.

Over the day-and-a half program, you will hear key policy, management, technical, legal, and enforcement personnel from the Bureau of Industry and Security and other relevant agencies provide detailed information on recent changes and those you can expect in the near future.

Day one will conclude with a networking opportunity to mingle and discuss issues of concern with the presenters and other participants. On day two, we will continue in plenary session; there will be no breakout sessions as in previous years.

Continuing legal education credit (MCLE) is available, and varies with the length of each seminar, for California State Bar members.

Location/Time

The Export Control Forum will be held February 21-22, 2017, at the Marriott Santa Clara located at 2700 Mission College Boulevard in Santa Clara, CA 95054. Registration and continental breakfast will begin at 7:30am. The program begins at 8:30am in the California Ballroom.

The exhibit hall will be open during the entire Forum from 7:30 a.m. – 5:00 p.m. on Tuesday, February 21, 2017 and Wednesday, February 22, 2017 from 7:30 a.m. – noon.

Tentative Agenda

We will post an agenda for this event when it becomes available.

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Accommodations

Please make your reservations directly with the hotel by calling (408) 988-1500 or [Click here](#) to make hotel reservations online. Register early, a limited number of guest rooms are available at a reduced rate of \$229 per night until January 31, 2017, based on availability.

Registration

The registration fee for attendees is \$695.00 per person. The fee includes continental breakfast, breaks, lunch, and conference materials. The Marriott requires advance notice for any special needs. If you require a vegetarian type meal, it must be specified during your online registration, with a check mark on your registration form. Special meals cannot be ordered after January 30, 2017. [Click here](#) for online Forum registration.

Online registration is required regardless of the payment method. The method of payment can be made by credit card or by check for both attendee and exhibitor registration. Make checks payable to the Professional Association of Exporters and Importers (PAEI). Mail checks to Professional Association of Exporters and Importers (PAEI), P.O. Box 712743, San Jose, CA 95161-2743. All mailed registrations (check payments) must be postmarked no later than Monday, January 30, 2017. In addition, all registrations made after January 30, 2017 will be assessed a \$50 administrative fee. Registration is not complete until payment has been received. If you have any questions regarding registration you may contact PAEI at (800) 930-7234. Tax ID No. 680117035.

To cancel, transfer, or for additional registration information, please email paeiadmin@paei.org. Cancellations must be made by email. All cancellations made after January 30, 2017 will be assessed a \$50.00 cancellation fee. No refunds after January 30, 2017.

Transfer requests must be made by email on or before Monday, January 30, 2017. If you would like to transfer your registration you must receive prior approval from PAEI. Registrations may NOT be transferred outside of your organization and registrations may NOT be resold. Please include "Transfer Request" in the subject line of your email, along with all contact information for the new attendee.

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Exhibit Table Space Registration

For those interested in exhibiting their products or services, there will be a limited number of exhibitor opportunities available at the Forum. Please [click here](#) for exhibitor requirements and separate registration.

Other Questions?

For topic questions, please call the BIS Western Regional Office at (949) 660-0144, (408) 998-8806, or by email.

For administration questions regarding the 2017 BIS Forum, please contact PAEI at (800) 930-7234 or at paeiadmin@paei.org.

**The Bureau of Industry and Security
Co-sponsored by: The Arizona District Export Council
Presents
"Complying with U.S. Export Controls"
January 25-26, 2017
Scottsdale, Arizona**

This two-day program is led by BIS's professional counseling staff and provides an in-depth examination of the Export Administration Regulations (EAR). The program will cover the information exporters need to know to comply with U.S. export control requirements on commercial goods. We will focus on what items and activities are subject to the EAR; steps to take to determine the export licensing requirements for your item; how to determine your export control classification number (ECCN); when you can export or reexport without applying for a license; export clearance procedures and record keeping requirements; Export Management Compliance Program (EMCP) concepts; and real life examples in applying this information. Presenters will conduct a number of "hands-on" exercises that will prepare you to apply the regulations to your own company's export activities. This program is well suited for those who need a comprehensive understanding of their obligations under the EAR. Continuing legal education credit (MCLE) is available, and varies with the length of each seminar, for California State Bar members.

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About the Instructors

The instructors are experienced export policy specialists, and enforcement personnel from BIS field offices, and other agencies. The instructors will be available throughout the seminar to answer your questions.

Location/time

The Embassy Suites by Hilton Scottsdale, 5001 N. Scottsdale Road, Scottsdale, AZ 85250. Registration will begin at 7:30am on January 25, 2017, and the program will begin at 8:30am on January 25, 2017, ending at 4:30pm on both days.

Accommodations

Please make your reservations directly with the hotel by calling (480) 949-1414. Mention "2017 Complying with U.S. Export Controls Seminar" to receive the special conference rate of \$204.00 plus tax per night. This special rate is available until January 9, 2017. Click here to make hotel reservations online.

Registration

The seminar registration fee is \$595 per person. The fee includes continental breakfast, coffee breaks, lunch on both full days, and conference materials. For questions regarding registration, please contact Fernando Jimenez at (602) 514-7221, or by email. Registration fees are non-refundable after January 9, 2017. Substitutions may be made at any time up to a week prior to the seminar. Click here to register for the seminar online.

Other Questions?

For information or questions on the topics to be covered, please call the BIS Western Regional Office at (949) 660-0144 or the San Jose Office at (408) 998-8806, or by email.



Important Technical Announcement for Users of OFAC's Sanctions List

Data Files Per Office of Management and Budget (OMB) mandate, the Treasury Department will be implementing HTTP Strict Transport Security (HSTS) headers on the Treasury.gov website on Thursday, January 12 during an evening maintenance window. There is no anticipated downtime associated with this change; however, the change affects multiple domains and sub-domains, and will force users to the HTTPS site, as opposed to allowing browsers to redirect from HTTP to HTTPS. This has the potential to impact scripts that users may have developed to poll Treasury.gov for data.

In addition to this change, the Treasury Department will also be updating the HTTPS cert it uses for the Treasury.gov domain during the aforementioned maintenance window. Users may have to reinstall the root certificate for the site if they experience connection problems. The root certificate (the G3 certificate) can found at the following URL:

<https://www.geotrust.com/resources/root-certificates/index.html>

Please contact OFAC technical support at 1-800-540-6322 Option #8 or O_F_A_C@treasury.gov with any questions that you may have about this change.



Here are three ways trade is linked to our economic strength:

Made-in-America exports are a growing pillar of our 21st century economy. Last year, we broke the record in American exports for the fifth year in a row, selling \$2.35 trillion in goods and services abroad -- more than ever before.

The more we sell abroad, the more jobs we support here at home. In fact, U.S. exports supported 11.7 million American jobs in 2014, an increase of 1.8 million since 2009.

Those jobs tend to pay better wages than non-export related jobs. In fact, businesses that sell their products abroad pay up to 18 percent more than businesses that don't.

Web Notice: The Directorate of Defense Trade Controls (DDTC) is currently in the process of modernizing its IT systems. During this time period, we anticipate there may be delays in response times and time to resolve IT related incidents and requests. We apologize for any inconvenience, and appreciate your patience while we work to improve DDTC services. If you need assistance, please contact the DDTC Service Desk at (202) 663-2838, or email at DtradeHelpDesk@state.gov (06.28.16)

“To be successful, you have to have your heart in your business and your business in your heart.”

-Sr. Thomas Watson

Department of State

DEPARTMENT OF STATE 22 CFR Part 121 [Public Notice: 9852] Notice of Inquiry; Request for Comments Regarding United States Munitions List Category XII AGENCY: Department of State. ACTION: Notice of Inquiry, request for comments. SUMMARY: The Department of State requests comments from the public regarding recent revisions to Category XII of the United States Munitions List (USML). In light of the ongoing transition of the USML to a more “positive list” pursuant to the President’s Export Control Reform (ECR) initiative, the Department requests that the public comment on (1) alternatives to controls on certain items when “specially designed for a military end user,” (2) the scope of the control in paragraph (b)(1), and (3) certain technical parameters that the Department is evaluating to replace “specially designed” controls. DATES: The Department of State will accept comments on this Notice of Inquiry until March 14, 2017. ADDRESSES: Interested parties may submit comments by one of the following methods: • Email: DDTCPublicComments@state.gov with the subject line, “Request for Comments Regarding USML Category XII.” • Internet: At www.regulations.gov, search for this notice using its docket number, DOS-2017-0002. Comments submitted through www.regulations.gov will be visible to other members of the public; the Department will publish all comments on the Directorate of Defense Trade Controls Web site (www.pmdtcc.state.gov). Therefore, commenters are cautioned not to include proprietary or other sensitive information in their comments. FOR FURTHER INFORMATION CONTACT: Mr. C. Edward Peartree, Director, Office of Defense Trade Controls Policy, Department of State, telephone (202) 663-2792; email DDTCPublicComments@state.gov.

<http://www.pmdtcc.state.gov/FR/2017/82FR4226.PDF>

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