



American Conference Institute's 7th **Advanced Industry Forum** on



GLOBAL ENCRYPTION, CLOUD & CYBER EXPORT CONTROLS



March 28-29, 2017 | Park Central Hotel San Francisco | San Francisco, CA

2017 Keynote Speakers:

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

Robert Saeverin
Senior Officer
German Federal Ministry
of Economics and
Energy Department
of Export Control
(Dual-Use Goods)

Marietje Schaake
Member
European Parliament (Belgium)

First time in San Francisco!
IT Management of Export Controls
March 30, 2017

This unique, one-day event will delve into the ins and outs of how to leverage IT and automation to strengthen export compliance. Gain practical strategies for protecting controlled data, and access to shared networks and collaborative platforms.

Association Partner:



Learn How to Incorporate Complex U.S. and Foreign Requirements into your Global Program. In-Depth, Practical Sessions Include:

- **EU Proposal on Human Rights** and Cyber-Surveillance Technologies
- **WASSENAAR** - Anticipated Changes to Intrusion Software and Network Surveillance Controls
- **RUSSIA & CIS** - Key Updates and Best Practices to Incorporate into Your Program
- **SOUTHEAST ASIA** - Encryption Controls in Malaysia, Singapore, Taiwan, Vietnam and the Philippines
- **FRANCE** - New Security Measures for OES, Cyber Measures and Increased Powers for Surveillance Authorities
- **ISRAEL** - Status and Impact of New Encryption Regulations
- **HONG KONG** - How Local Import/ Export Regulations Are Being Applied to Encryption Products
- **JAPAN** - Status Report on the Implementation of Cyber Rules and Controls on Cloud Computing

PLUS! Enhanced focus on Cloud Computing:

- ✓ The Most Complex, Pressing ITAR & EAR Compliance Challenges and How to Address Them Going Forward
- ✓ Hypothetical Exercises and Case Studies

Widely regarded as the only comprehensive event of its kind, this conference is the must-attend forum for anyone looking to network and benchmark with leading exporters on encryption, cloud and cyber export controls.

Benefits of Attending This Event:

- Hear from key U.S. and EU Government Officials on the EU Human Rights and Cyber Proposal, and WASSENAAR changes
- Gain global compliance best practices from speakers based in the U.S., EU, China, Israel, Japan and Singapore
- Get up-to-speed on new foreign encryption, cloud and cyber compliance requirements
- Participate in enhanced discussions and practical exercises on cloud computing
- Enhance your learning at pre-conference working groups on the recent U.S. encryption changes and export compliance benchmarking
- Update your strategy for IT export compliance at the post-conference seminar on IT Management of Export Controls

"Impressed by the large number of expert speakers."

- Synopsys

"Very content rich - excellent conference management."

- 3M

"Subjects/topics were very good for this conference."

As always, ACI leads in enabling and facilitating excellent conferences, active interaction and speakers who are willing to describe and offer legal advice and best practices."

- Tyco

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Who Attends This Event:

Vice Presidents, Directors and Managers of:

- Export/Import Compliance
- Export Administration
- Export/Import Controls
- Security
- Export Policy
- Export Licensing
- International Trade Compliance
- Government Affairs
- Corporate Counsel
- Import/Export Compliance
- International Trade Counsel
- Trade and Regulatory Counsel

Private practice attorneys and consultants practicing in:

- Export Controls
- International Trade
- Corporate Compliance & Governance
- E-Commerce
 - » Chief Technology Officers
 - » Engineers



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Pre-Conference Working Groups | Monday, March 27, 2017

Working Group A | 9:00 a.m.-12:30 p.m.

A Crash Course on U.S. Encryption Controls and the September 2016 Changes: What They Mean for Your Program, the Compliance Landscape and the Internet of Things

Steve Bird
Export Compliance Manager
Cisco Systems

Daniel Fisher-Owens
Partner
Berliner, Corcoran & Rowe LLP

This in-depth working group will take you through the ins and outs of U.S. requirements and recent changes. Hear from seasoned experts on how to interpret and apply complex encryption controls.

In addition to helpful reference materials and discussion points, there will be ample time for you to ask your questions and hear concrete examples of compliance successes and missteps. Topics will include:

- Roadmap of current U.S. encryption controls and their scope of application
- Who to contact and where to look toward mapping out your classification and licensing strategy
- Interpreting September 2016 changes: What has changed in practice?
- Utilizing early product analysis and evaluating intended use
- Determining classification under the EAR or ITAR
- Classifying public domain or publicly available information containing encryption
- Preparing a CJ request for encryption products subject to ITAR regulations – what you need to submit, what supporting materials to include and other key elements
- Requirements for obtaining a mass market cryptography classification
- Managing export license conditions and scope limitations on encryption products

Working Group B | 1:30 p.m.-5:00 p.m.

The Ultimate Global Export Compliance Benchmarking Opportunity

Matt Bell
Chief Export Compliance Officer, Legal Counsel
ZTE Corporation

Karmi Leiman
Senior Director, Trade Compliance
GlobalFoundries

This interactive workshop is a one-of-a-kind opportunity to share best practices, as well as examples of written policies, procedures, forms and tools. Benefit from a unique opportunity to benchmark global export compliance practices with our speakers and participants.

The workshop will focus on how to update your global export compliance program, and strengthen your policies and procedures moving forward. Ample time will be left for questions and interactive discussion, so please bring your questions. Topics will include:

- Technology transfer control plans
- Sanctions guidelines
- Deemed export evaluation tools
- Classification worksheets
- Export control policy statements
- Export control procedures
- Training materials for executives and engineers
- HR policies and procedures
- Technology Controls Plans

Main Conference Day 1: Tuesday, March 28, 2017

8:45
Co-Chairs' Opening Remarks

Ken Niven
Associate General Counsel
Juniper Networks

Roszel Thomsen
Partner
Thomsen & Burke LLP

9:00 EU Proposal on Human Rights and Cyber-Surveillance Technologies: New, Anticipated Catch-All Controls and Their Broad Application

Marietje Schaake
Member
European Parliament

Robert Saeverin
Senior Officer
German Federal Ministry
of Economics and Energy
Department of Export Control
(Dual-Use Goods)

At this highly anticipated session, benefit from a unique opportunity to hear first-hand government updates on the status of the latest EU proposal-and priorities moving forward.

9:45 WASSENAAR - Proposals and Anticipated Changes to Intrusion Software and Network Surveillance Controls

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

Robert Saeverin
Senior Officer
German Federal Ministry of Economics
and Energy Department of Export Control
(Dual-Use Goods)

Benefit from an invaluable opportunity to hear first-hand insights from Government decision-makers about possible changes to the compliance landscape going forward.

10:45
Networking Break

11:00

INDUSTRY COMPLIANCE THINK TANK - Practical Impact of the EU Cyber-Surveillance, and WASSENAAR Proposals and Changes

Rama Dasari
Export Compliance Manager
Apple

Mahmut Sen
Manager Trade Compliance
Siemens AG (Germany)

F-N Brady
Manager, Global Trade Compliance
Hitachi Data Systems Corporation

Led by seasoned industry experts, hear insights on the real life impact of recent proposals and changes-and how they can affect your program moving forward. Hear how industry is managing the impact of new and proposed regulations, and what they mean in practice for your global security and trade operations. Topics will include:

- Key industry concerns about the EU proposal
- Managing the overlap between government surveillance systems used to monitor communications and your industry equipment
- Updating your global encryption compliance strategy
- How the new, proposed rules affect companies' ability to defend their networks
- Dovetailing your export compliance and cybersecurity strategies to combat the risks of network breaches and export violations

12:00

Networking Luncheon

1:15

CLOUD COMPUTING - The Most Complex, Pressing ITAR and EAR Compliance Challenges and How to Address Them Going Forward

Rebecca Conover
Export Compliance Program Manager
Intel Corporation

Vicki Wilkerson
Senior Global Trade Manager
Salesforce

Anne Marie Griffin
Deputy Director Global Trade Policy
Microsoft

Melissa L. Duffy - *Panel Moderator*
Partner
Hughes Hubbard & Reed LLP

At this highly anticipated session, expert speakers will focus on the most pressing challenges confronting industry-and best practices for resolving them:

- The most common misconceptions regarding the "export" definitions under the ITAR and EAR
- Defining "end-to-end encryption"
- When encryption is now required for exports of items overseas
- The lengths and limits of EAR exclusions for certain activities in the cloud

- Anticipated changes to licensing exceptions and arrangements
- DDTC rule on access to ITAR data
 - » what is an "export"?
 - » is access a "release" under the ITAR?
- Can U.S. companies offshore data and remove it from subpoena jurisdiction of U.S. law enforcement? Lessons learned from the *Microsoft* case
- Microsoft White Paper

2:45

Networking Break

3:00

RUSSIA & CIS

Elizabeth Hafner*
Assistant USTR for Russia and Northern Eurasia
Office of the U.S. Trade Representative

Ken Niven
Associate General Counsel
Juniper Networks

Michael Gershberg
Partner
Fried, Frank, Harris, Shriver & Jacobson LLP

- When you still need a permit or authorization
- Who to contact in case of questions and pitfalls to avoid when seeking a permit/authorization
- The latest on how Russian authorities are cracking down on notifications of products
- Permit requirements and challenges that are specific to laptops and cell phones
- When screening has to be done for embedded software
- How to meet expansive license requirements for confidential information and communications

4:00

SOUTHEAST ASIA - Malaysia, Singapore, Taiwan, Vietnam and the Philippines

Yi Lin Seng
Local Principal
Wong & Leow LLC (Singapore)

Kathleen Gebeau
Senior Director, Export Compliance
Qualcomm

- New, anticipated encryption controls that could affect your compliance status
- Navigating import/export permit requirements across the region
- Emerging compliance challenges that are unique to the region
- To what extent local government agencies are enforcing the regulations, and what triggers suspicion
- Scope of liability for non-compliance

5:00

Conference Adjourns

*denotes "tentatively confirmed" at the time of brochure printing

Main Conference Day 2: Wednesday, March 29, 2017

8:45
Co-Chairs' Opening Remarks

8:50
FRANCE - Status and Impact of New Security Measures for OES, Cyber Measures and Increased Powers for Surveillance Authorities

Speakers include:

Rama Dasari
Export Compliance Manager
Apple

- The impact of new, anticipated changes for industry moving forward
- Which items require prior declaration or authorization
- How France has implemented Wassenaar
- Working effectively with ANSSI

9:45
ISRAEL - Status and Impact of New Encryption Regulations

Anne Marie Griffin
Deputy Director Global Trade Policy
Microsoft

Heather A. Stone
Gross, Kleinhendler, Hodak, Halevy, Greenberg & Co. (Israel)

- Recent changes, their scope and application
- Anticipated changes to expect in 2017
- New, anticipated shifts in government policy that affect the compliance landscape
- Tailoring your compliance practices to the Israeli context
- How current requirements affect the technology and aerospace/defense sectors

10:45
Networking Break

11:00
CHINA - The Aftermath and Practical Impact of New Security Regulations and Changes to Encryption Controls

Christopher Millward
President & Managing Director
United States Information Technology Office (USITO)

Brian Falbo
Attorney
Product Group and Global Operations
Dell

Xiang Wang
Partner
Orrick (China)

- Chinese "secure and controllable" proposed regulations for encryption products and cloud computing
- Practical impact of banking and cybersecurity regulations, and their effect on the encryption controls landscape in China
- What to change in your encryption controls strategy based on recent and anticipated developments
- To what extent MOFCOM is enforcing the rules
- Reducing the risk of product confiscation, forfeiture of income and criminal prosecution

12:00
Networking Luncheon

1:15
HONG KONG - How Local Import/ Export Regulations Are Being Applied to Encryption Products

Speakers include:

Greg Stein
Director
SanDisk Corporation

- Common missteps to avoid when applying Hong Kong import laws as they relate to encryption
- Establishing a good working relationship with key government agencies
- Importing encrypted products from Hong Kong into mainland China
- How to work with TID to secure licenses
- How manufacturers are approaching compliance with local import/export regulations
- Managing your supply chain, including re-sellers, customs brokers and customers

2:15
JAPAN - Status Report on the Implementation of Cyber Rules and Controls on Cloud Computing

Naobumi Yamada
Export Control Advisor,
Center for Information on Security Trade Control (CISTEC)
Senior Expert, **Hitachi Ltd. (Japan)**

- How cyber rules are being implemented by the Japanese Government
- The latest controls on cloud computing companies
- The process for documenting encryption export approvals
- How to use forms developed by CISTEC

3:15
Networking Break

3:30
HYPOTHETICAL EXERCISES - CLOUD COMPUTING

Introduced based on popular demand, this session will expand upon the earlier discussion of cloud computing challenges. Led by the Co-Chairs, the discussion will focus on how to resolve complex hypothetical issues and update your compliance practices. Designed as an additional benchmarking opportunity, participants will gain real-time knowledge on how to apply complex requirements in practice.

4:15
OPEN Q & A SESSION

As an additional, worthwhile opportunity, faculty members will take your questions and provide further insights on how to manage real world compliance challenges in practice. Take this invaluable opportunity to ask any outstanding questions and for clarification on complex topics discussed over the course of the two-day event.

5:00
Conference Concludes

Thursday, March 30, 2017 | Post-Conference Seminar

IT Management of Export Controls

This unique, one-day event will delve into the ins and outs of how to leverage IT and automation to strengthen virtual export compliance. Gain practical strategies for identifying security and IT compliance risks, protecting controlled data, and managing employee and third party access to shared networks and collaborative platforms.

SPEAKER FACULTY

Michael F. Angelo
Chief Security Architect
[Micro Focus](#)

Brian Helfer
Principal & Managing Director
[Global Resources Management Incorporated](#)

Keng Lim
CEO & Founder
[NextLabs](#)

Thomas Mathew
Vice President
Global Trade Management Solutions
[OCR Services Inc.](#)

Bob Vander Lugt
Director of International Trade Compliance
[Northrop Grumman](#)

AGENDA

8:30
Opening Remarks from the Speaker Faculty

8:45
CLOUD INFRASTRUCTURE - Rolling Out a Cloud Infrastructure with Export-Controlled Data: How Companies are Dovetailing the Latest IT and Export Compliance Best Practices

- Determining where your data resides in the cloud, where it is stored, who owns the servers and where data is going
- Integrating compliance business systems in the cloud: Complying with State and Commerce Department requirements for access to technical data
- Backing up data in the cloud
- Vetting prospective service providers: Understanding who is hosting and managing the network
- Determining the requisite level of virtual access controls for foreign national employees and third parties

9:45
CONTROLLED DATA - Safeguarding ITAR and EAR-Controlled Data on Networks, Servers, Emails, Laptops and Mobile Devices

- Managing email transfers of technical data: Tracking and marking sensitive communications, and designating emails
- Segmenting data, and managing data markings for technical data and technology
- Protecting US origin data on laptops and servers
- Securing mobile devices to avoid an export violation
- Differences in effective laptop vs. server and email protections
- When to create separate servers for controlled information and/or partition drives
- Using ERP systems to store and manage export-controlled data

10:30 Networking Break

10:45
TRADE AUTOMATION - What the U.S. Government Now Expects for Automated Capabilities - and How to Upgrade Your Program

Hear first-hand insights on how to implement government expectations for automation-and how to work with government decision-makers in the process. Learn the latest requirements and best practices for updating your automation capabilities accordingly.

11:30
THIRD PARTY ACCESS & IDENTITY MANAGEMENT - Verifying User Credentials to Protect Networks and Collaboration

- Assessing administrator and user access based on identity, location and rights
- Integrating denied party screening and trade compliance requirements into your user verification and monitoring
- Monitoring engineering and scientific discussions, and exports of manuals with technical specifications
- Identity Management: How identity is verified, managed and maintained
- The intersection of identity management and export compliance

12:30 Networking Luncheon

1:30
CYBERSECURITY - Cyber Compliance Best Practices: Successes and Lessons Learned for Implementing an Effective Program

At this interactive discussion, speakers and audience members will discuss the latest cyber risks and their impact on industry's export compliance efforts. Hear concrete examples of how to safeguard your networks, email and other channels from evolving cyber threats-and how to leverage your security tools to update your export compliance program.

2:30
CYBER THREAT DETECTION AND MANAGEMENT - Detecting, Investigating and Responding to Cyber Threats: How Companies Are Updating Their Strategies

Building on the previous session, faculty members will discuss examples of detecting and dealing with cyber breaches-and the associated impact on export-controlled data and third party access. Learn how to work with government in the event of a breach and minimize the risk of an export violation and/or penalty.

3:30 Networking Break

3:45
TCPs - Where Companies Go Wrong on Technology Control Plans: Lessons Learned for Structuring Your IT Program in an Ever-Changing Security and Trade Compliance Environment

This session will delve into best practices for dovetailing export compliance and IT compliance practices for an optimal technology control plan. Topics will include:

- How companies are updating their technology control plans in response to new risk factors
- How best to integrate trade compliance into IT infrastructure and systems
- The most critical pitfalls to avoid when rolling out your TCP

4:30
OPEN Q & A AND BRAINSTORMING How to Better Leverage IT Security Tools to Strengthen Export Compliance

5:00 Seminar Concludes



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Exclusive Seminar: IT MANAGEMENT OF
EXPORT CONTROLS - March 30, 2017

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