

ARMS AND STRATEGIC TECHNOLOGY INVESTIGATIONS

PROJECT SHIELD AMERICA



U.S. Immigration
and Customs
Enforcement

SHIELD
America

LAW ENFORCEMENT FOR A CHANGING WORLD

TERRORIST ATTACKS ON
NYC & PENTAGON

GROWTH OF STATE
SPONSORED TERRORIST
ACTION

WEAPONS
PROLIFERATION

NUCLEAR MATERIAL
SMUGGLING – LOOSE
NUKES PHENOMENA



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CHANGES IN EXPORT CONTROLS

LICENSING AGENCIES DECONTROLLING
NUMEROUS COMMODITIES

INCREASED USE OF FOREIGN POLICY SANCTIONS
AND EMBARGOES

FOREIGN MILITARY SALES



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NEW THREATS ON THE HORIZON



CASH POOR FSU
COUNTRIES SALE OF
NUCLEAR STOCKPILE

STATE SPONSORED
TERRORISM

RELIGIOUS EXTREMISM

DOMESTIC TERRORIST
GROUPS

INDUSTRIAL
ESPIONAGE



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EXPORT CONTROL LAWS



ARMS EXPORT CONTROL ACT
(AECA)

EXPORT ADMINISTRATION ACT
(EAA)

INTERNATIONAL EMERGENCY
ECONOMIC POWERS ACT (IEEPA)

TRADING WITH THE ENEMY ACT
(TWEA)



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ARMS EXPORT CONTROL ACT

22 USC 2778

REQUIRES REGISTRATION OF PERSONS ENGAGED IN THE BUSINESS OF MANUFACTURING OR EXPORTING DEFENSE ARTICLES AND SERVICES.

REQUIRES LICENSE TO EXPORT MUNITIONS ITEMS, RELATED TECHNOLOGY, AND SERVICES.

- INTERNATIONAL TRAFFIC IN ARMS REGULATIONS (ITAR)
- UNITED STATES MUNITIONS LIST (USML)
- www.pmdtc.org/reference.htm

ADMINISTERED BY THE U.S. DEPARTMENT OF STATE -
DIRECTORATE OF DEFENSE TRADE CONTROLS www.pmdtc.org

ENFORCED BY ICE



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EXPORT ADMINISTRATION REGULATIONS

50 USC APP. 2401

EAA EXPIRED IN AUGUST 1994

EAR ENFORCED UNDER IEEPA BY PRESIDENTIAL
ORDER

ADMINISTERED BY THE U.S. DEPARTMENT OF
COMMERCE - BUREAU OF INDUSTRY SECURITY
www.bis.doc.gov

ENFORCED BY ICE AND DOC



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INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT

50 USC 1701-1706

ECONOMIC SANCTIONS AND EMBARGOES
AGAINST COUNTRIES AND INDIVIDUALS, I.E.
TERRORISTS

USED BY THE PRESIDENT TO ENFORCE THE EAR

CURRENT SANCTIONS CAN BE FOUND:

www.treas.gov/ofac

ENFORCED BY ICE



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TRADING WITH THE ENEMY ACT

50 USC APP. 1

ONLY APPLIES TO CUBA AT THIS TIME

ADMINISTERED BY OFAC

ENFORCED BY ICE



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INTANGIBLE TECHNOLOGY TRANSFERS

EXPORTS VERSUS DEEMED EXPORTS BOTH AECA VIOLATIONS

- EXPORTS
 - COMMODITIES OR TECHNICAL DATA IN TANGIBLE FORM
 - TRANSFER IN GEOGRAPHICAL TERMS - A BORDER CONTROL ISSUE
- DEEMED EXPORTS
 - BORDER CAN BE IRRELEVANT - USUALLY INVOLVES TRANSFER TO FOREIGN NATIONALS



INTANGIBLE TECHNOLOGY TRANSFER

INTANGIBLE TECHNOLOGY TRANSFERS

- ELECTRONIC TRANSFER OF DOCUMENTARY TECHNOLOGY OR TECHNICAL DATA
 - BLUE PRINTS
 - DIAGRAMS
 - MANUALS, INSTRUCTIONS
- ILLEGAL EXPORT OF TECHNICAL ASSISTANCE
 - TRAINING, CONSULTING, TECHNICAL ADVISE
 - CAN BE VIA EMAIL, PHONE, MEETING, WEB SITE ETC.



ASTI APPROACH TO EXPORT ENFORCEMENT

INTERDICTION

- CUSTOMS AND BORDER PROTECTION (CBP)
- ICE

INVESTIGATION

- ICE

INTELLIGENCE - TARGETS AND TECHNOLOGY

- ICE, CBP
- INTEL COMMUNITY
- DOD

INTERNATIONAL COOPERATION

INDUSTRY OUTREACH

PROJECT SHIELD AMERICA



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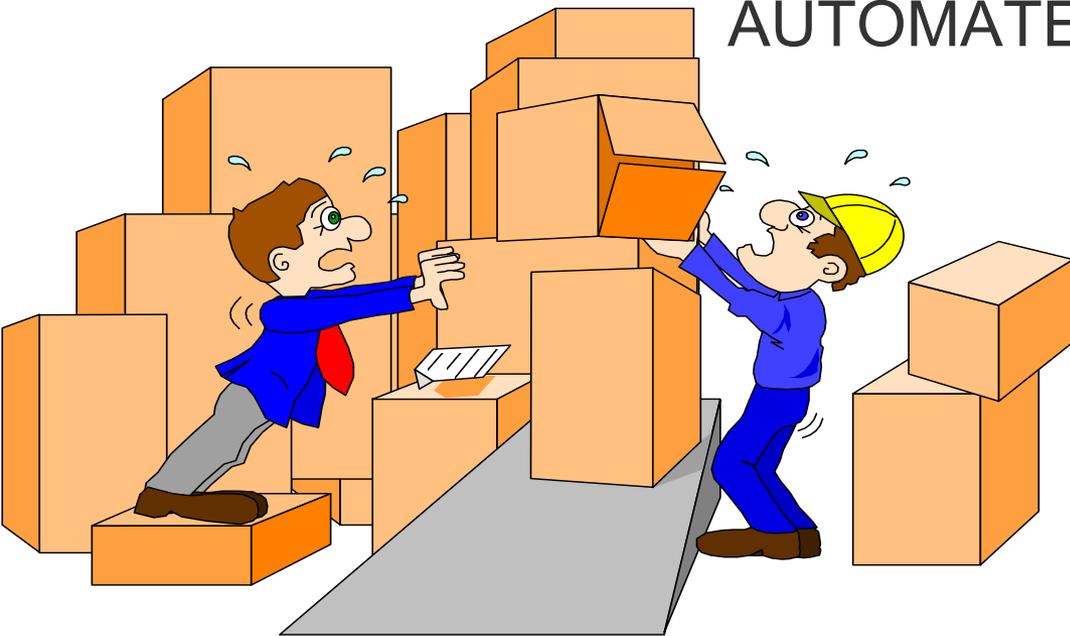
INTERDICTION EFFORTS

7300 CBP INSPECTORS

300 PORTS OF ENTRY AND EXIT

CORE GROUP FOR EXPORT CONTROL

AUTOMATED EXPORT SYSTEMS



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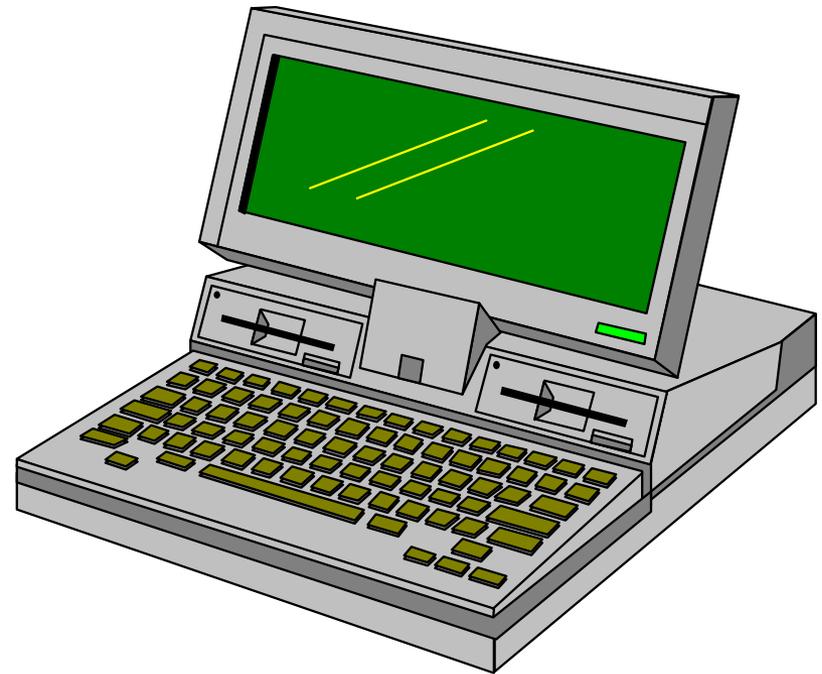
AUTOMATION EFFORTS

INTEGRATION OF
LICENSING SYSTEMS

AES

AUTOMATED
DECREMENT OF
LICENSING

PRE-SHIPMENT
APPROVALS



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ARMS AND STRATEGIC TECHNOLOGY INVESTIGATIONS

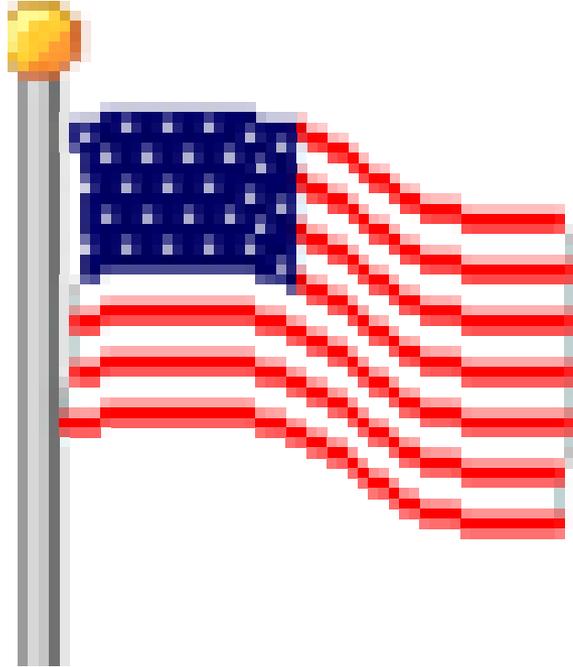
ROLE OF ICE

SPECIAL AGENTS



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INVESTIGATIONS



INDUSTRY COOPERATION

OVERT INVESTIGATIONS

DETENTIONS AND LICENSE
DETERMINATIONS

UNDERCOVER STINGS



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INTELLIGENCE

INTELLIGENCE DEVELOPMENT

ICE

CBP

INTEL COMMUNITY

DOD



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INTERNATIONAL COOPERATION

MULTI-NATIONAL
INVESTIGATIONS

INSPECTIONS BASED ON
INFO FROM OTHER
NATIONS

TRAINING & TECHNICAL
ASSISTANCE



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INDUSTRY OUTREACH

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ENHANCE PUBLIC
AWARENESS OF EXPORT
LAWS

PROVIDE OPPORTUNITY FOR
PRIVATE SECTOR INPUT

GENERATE COOPERATION



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INDUSTRY'S ROLE IN COMPLIANCE

KNOW YOUR CUSTOMER

IT'S YOUR BUSINESS - BE ALERT AND RECOGNIZE
POTENTIAL ILLEGAL EXPORTS AND DIVERSIONS

EXPORT MANAGEMENT TRAINING



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RED FLAG INDICATORS OF POTENTIAL ILLEGAL EXPORTS

WILLING TO PAY CASH

- NORMAL TRANSACTIONS
USE LETTERS OF CREDIT

WILLING TO PAY IN EXCESS OF
MARKET VALUE

WON'T PROVIDE END USER OR
END USE INFORMATION

END USE INFORMATION
INCOMPATIBLE WITH NORMAL
PRODUCT USE

FINAL CONSIGNEE IS FREIGHT
FORWARDER ETC.

CUSTOMER IS UNFAMILIAR WITH
THE PRODUCT, ITS APPLICATION,
SUPPORT EQUIPMENT,
PERFORMANCE INCONSISTENT
WITH CUSTOMER'S NEEDS

CUSTOMER ORDERS PRODUCTS
NOT COMPATIBLE WITH THEIR
BUSINESS

CUSTOMER HAS NO BUSINESS
BACKGROUND



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RED FLAG INDICATORS OF POTENTIAL ILLEGAL EXPORTS

ORDERS PLACED FROM FIRMS OR
INDIVIDUALS IN COUNTRIES OTHER
THAN END USE COUNTRY

SHIPMENT VIA CIRCUITOUS OR
ECONOMICALLY ILLOGICAL
ROUTE

CUSTOMER DECLINES
INSTALLATION OR SERVICE
CONTRACTS

PACKAGING INCONSISTENT WITH
SHIPPING MODE OR DESTINATION

PACKING INCONSISTENT
WITH SHIPPING, OVERLY
SECURE PACKING TO
DETER EXAMINATION,
ALTERED LABELS

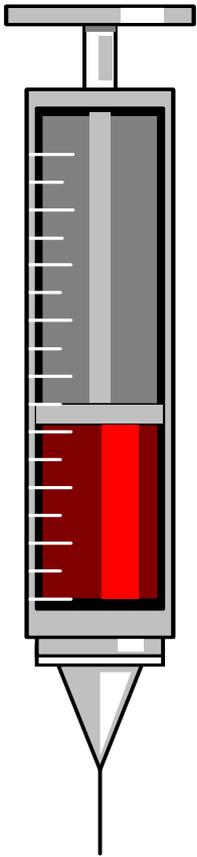
SIZE/WEIGHT OF PACKAGE
DOES NOT MATCH
PRODUCT

FRAGILE OR OTHER
MARKINGS ARE
INCONSISTENT WITH
PRODUCT



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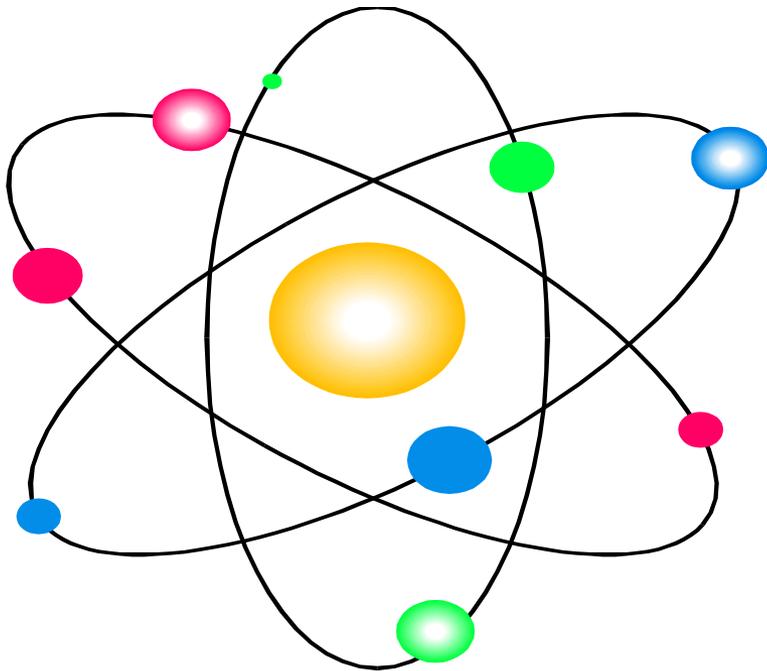
DESIRED CHEMICAL & BIOLOGICAL TECHNOLOGY



- FERMENTERS
- CENTRIFUGAL SEPARATOR
- SAFETY HOODS - CLASS II OR III
- REACTOR VESSELS
- HASTELLOY-HIGH NICKEL ALLOYS
- DOUBLE-SEAL PUMPS



DESIRED NUCLEAR TECHNOLOGY



- › MARAGING STEEL
- › SPIN-FORMING MACHINERY
- › BERYLLIUM
- › GRAPHITE COMPONENTS
- › RADIATION SHIELDING
- › ELECTRON BEAM WELDERS



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DESIRED MISSILE TECHNOLOGY

GUIDANCE SYSTEM

- GPS/INS

- 3-AXIS GYRO

- 3-AXIS

- ACCELERATOR

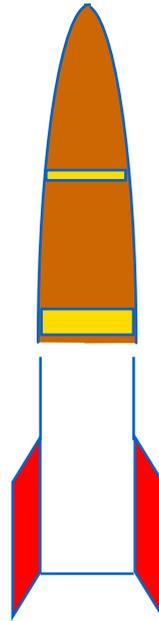
MOTOR

- KEVLAR

- MARAGING STEEL

- CARBON/CARBON

- CARBON/
PHENOLIC



- NOSE CONE/RE-ENTRY VEHICLE

- CARBON/CARBON

- SKIN

- MARAGING STEEL

- SOLID FUEL MOTOR

- PROPELLANTS

- FINS

- CARBON/CARBON



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THE THREAT OF PROLIFERATION COUNTRIES

IRAN

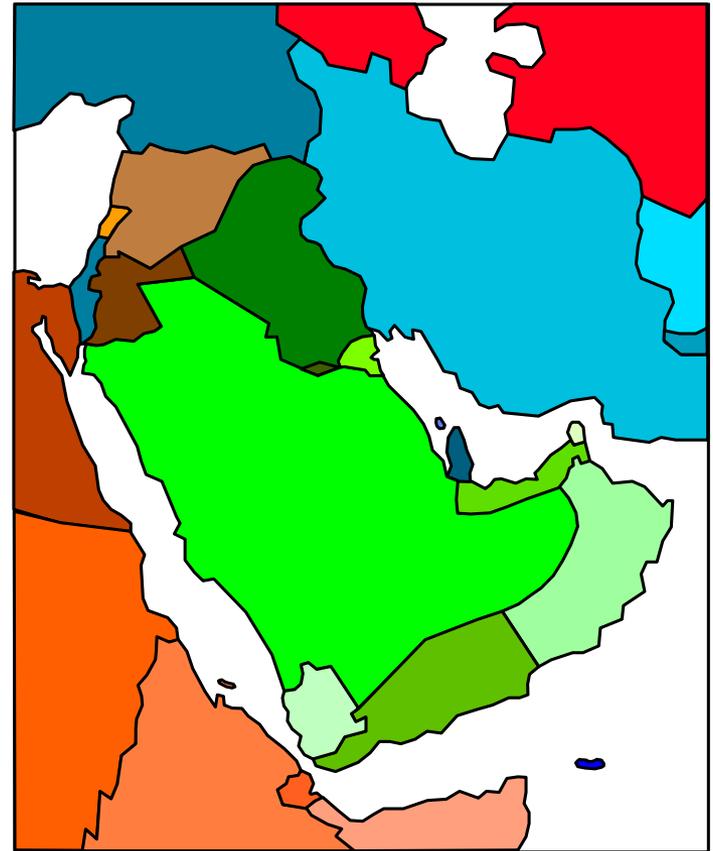
LIBYA

N. KOREA

CHINA

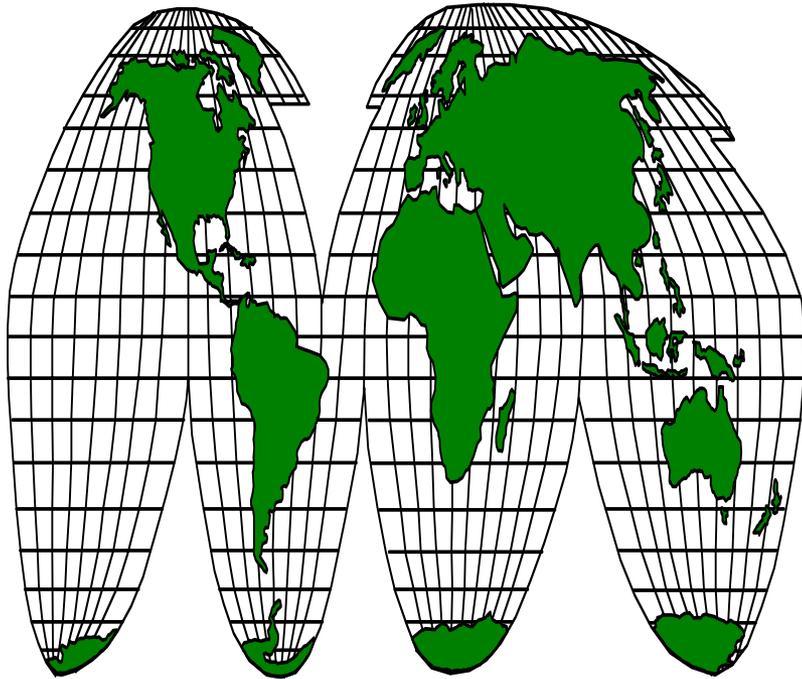
SYRIA

PAKISTAN



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TRANSSHIPMENT COUNTRIES



U.A.E

SINGAPORE

HONG KONG

CYPRUS

JORDAN

MALTA

THAILAND

YEMEN

SUDAN



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HOW TO RESPOND TO A SUSPICIOUS CONTACT

DON'T SLAM THE DOOR

KEEP IT NEUTRAL

OBTAIN CONTACT
NUMBERS OR EMAIL

QUICKLY CONTACT ICE
SPECIAL AGENTS FOR A
CONTROLLED AND
MONITORED RESPONSE



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QUESTIONS AND DISCUSSION



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