



EIB World Trade Headlines

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July 15, 2014 - Volume 6, Issue 13

2013 Winners of the GINA Award The 5th Annual GINA Award

Winner of the individual GINA award:

Joe Pawlak of Flight Safety Simulation, Broken Arrow, OK

Winner of the Company wide GINA Award:

Senior Aerospace Connecticut, Enfield, Connecticut
Under the direction of Eric Lee

NOW ACCEPTING NOMINATIONS FOR 2014!!

Every year since 2009, Evolutions in Business has presented the GINA Award to the company and/or individual whose efforts have led to either the most improved ITAR and EAR Compliance program or an exemplary Compliance Program.

The "GINA Award" is awarded to an individual, *who with or without cooperation from their corporation* has managed to implement in their company these "Best Practices" of a compliant exporting organization:

- ✓ Organize and Receive Export Education
- ✓ Classify products for ITAR Category and or EAR, ECCN
- ✓ Establish denied parties screening
- ✓ Establish accuracy in documentation
- ✓ Ensure proper record keeping
- ✓ Draft and Implement EMS or EMCP

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The Bureau of Industry and Security has Scheduled a Number of Seminars in the Upcoming Months in California and the in the Washington, DC Area

"Complying with U.S. Export Controls" August 6-7, 2014, Los Angeles, CA This two day course is intended to provide a thorough introduction to the key information you need to know to comply with the Export Administration Regulations. We will also discuss some of the key changes implemented as a part of the Administration's Export Control Reform initiative.

In the Silicon Valley area:

"Complying with U.S. Export Controls" September 8-9, 2014, Milpitas, CA Our two day program as described above.

"Export Control Reform" September 10, 2014, Milpitas, CA This one-day seminar will provide an update on the latest changes from the reform initiative, including the recently published changes for military electronics. Led by technical and regulatory specialists, this course will be particularly useful to defense exporters with relatively limited exposure to the regulatory requirements of the Export Administration Regulations.

"Encryption Controls" September 11, 2014, Milpitas, CA This popular one day program will provide an in-depth discussion of the controls on the export of encryption items. Licensing specialists from Washington, D.C. will lead the discussion and be available for Q&A.

In the Washington DC area:

"Complying with U.S. Export Controls" September 30, 2014-October 1, 2014, Alexandria, VA – \$270 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; how to determine your export control classification number (ECCN); steps to take to determine the export licensing requirements for your item; when you can export or reexport without applying for a license; export clearance procedures; and record keeping requirements.

"Export Control Reform" October 2, 2014, Alexandria, VA - \$170 This one day training course is designed to provide in-depth exposure to core elements of the Export Control Reform (ECR) initiative.

Regulatory, compliance, and engineering officers will provide training on the key elements ranging from licensing issues to "specially designed" and license exceptions such as use of the Strategic Trade Authorization. The course will focus on new and different compliance requirements. This course will be useful to defense exporters with relatively limited exposure to the regulatory requirements of the Export Administration Regulations, and to exporters who now will be able to support U.S. military items without incurring International Traffic in Arms Regulations (ITAR) liability.

Attend both seminars in Alexandria for \$400.

Registration information for all BIS programs is available on our website:
<http://www.bis.doc.gov/index.php/compliance-a-training/export-administration-regulations-training/current-seminar-schedule>. We hope to see you at one of our seminars soon.

WEBINAR MARKET BRIEFING July 14, 2014 Export Opportunities in the Gulf Cooperation Council (GCC) Countries

The GCC countries (country spotlight: UAE and Qatar) are rife with opportunities for US companies. Want to gain insight on the tremendous potential that the region holds and how to tap into it?

Join us for this webinar to learn!

[Click here to register now!](#)

Join Anne Jafery (Director--Trade, GCC Trade Representative Office for Maryland, Pennsylvania, Virginia, and Wisconsin), as she speaks on:

- Doing business in the GCC--Overview
- Cultural and business misconceptions
- Top export categories, opportunities, and projects in UAE
- Top export categories, opportunities, and projects in Qatar
- How you can capitalize on these opportunities
- Channels' trade mission to UAE and Qatar
- Various channels of market entry
- UAE vs Qatar

This webinar is brought to you by Channels Business Solutions. If you have any interest in doing business in the Middle East, this is a webinar you do not want to miss.

Tina Kasim

(*Continued On The Following Column)

Civil Uses of Certain Microwave Monolithic Integrated Circuit (MMIC) Power Amplifiers, Discrete Microwave Transistors and Bi-Static and Multi-Static Radar

This notice of inquiry requests comments that cite specific examples of civil uses of certain MMIC power amplifiers and discrete microwave transistors, both of which operate at frequencies exceeding 2.7 GHz, and (3) bi-static/multi-static radar that exploits greater than 125 kHz bandwidth and is lower than 2 GHz center frequency to passively detect or track using radio frequency (RF) transmissions (e.g., commercial radio or television stations).

The Bureau of Industry and Security (BIS) is requesting this information because several comments on rules recently published by the Departments of State and Commerce made claims that civil applications for these types of commodities exist or soon will be developed.

However, the commenters did not provide specific examples of such applications. BIS is seeking specific examples to assess whether it should propose to the Departments of State and Defense further amendments to the International Traffic in Arms Regulations (ITAR) and the Export Administration Regulations (EAR) as part of the Administration's Export Control Reform Initiative.

DATES: Comments should be received no later than September 2, 2014.

ADDRESSES: Comments may be submitted:

- Via the Federal eRulemaking Portal: <http://www.regulations.gov>. The identification number for this rulemaking is BIS-2012-0045.
- By email directly to publiccomments@bis.doc.gov. Include "Military Electronics Notice of Inquiry" in the subject line.
- By mail or delivery to Regulatory Policy Division, Bureau of Industry and Security, U.S. Department of Commerce, Room 2099B, 14th Street and Pennsylvania Avenue NW., Washington, DC 20230. Refer to "Military Electronics Notice of Inquiry."

*(*Continued On The Next Column)*

FOR FURTHER INFORMATION CONTACT:

Brian Baker, Director, Electronics and Materials Division, Office of National Security and Technology Transfer Controls, (202) 482-5534, brian.baker@bis.doc.gov.

MMIC Amplifiers and Discrete Microwave Transistors

There are three rules, currently published or in development, that impact MMIC amplifiers and discrete microwave transistors:

The rule implementing the decisions of the 2013 plenary meeting of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (herein the Wassenaar 2013 rule), the BIS final military electronics rule, and the State final military electronics rule. The Wassenaar 2013 rule, which is currently under development, is expected to publish and go into effect before the BIS final military electronics rule and the State final military electronics rule become effective. **When both the Wassenaar 2013 rule and the BIS final military electronics rule are effective, BIS expects that no unclassified MMIC power amplifiers or discrete microwave transistors will be controlled under the USML.**

When all three rules are effective, BIS expects that all unclassified MMIC power amplifiers will be controlled under ECCN 3A611.c or ECCN 3A001.b.2 or will be designated EAR99. Discrete microwave transistors will be controlled under ECCN 3A611.d, 3A001.b.3, 3A001.h or EAR99.

Commenters on the proposed rule that led to the BIS military electronics final rule stated use of these amplifiers and transistors enable the production of devices with more power, greater efficiency and fewer parts, goals that are common to civil and military electronic device design.

The commenters mentioned several actual or potential civil uses for the MMIC power amplifiers and discrete microwave transistors proposed for control in ECCN 3A611.c and .d. Those uses included: Wi Fi, Wi Max, point-to-point radios for cellular backhaul, commercial Ka-band used in commercial satellite-based wireless internet ground stations, VBand radios used in small commercial cellular networks, and civil air traffic control systems.

However, the commenters did not provide specific examples of such uses. Therefore, the final rule made only four very limited changes to proposed 3A611.c and .d as a result of the review of the public comments.

Those changes were increases to the power added efficiency threshold for MMIC power amplifiers and discrete microwave transistors in the frequency ranges from greater than 2.7 GHz up to and including 2.9 GHz and greater than 2.9 GHz up to and including 3.2 GHz.

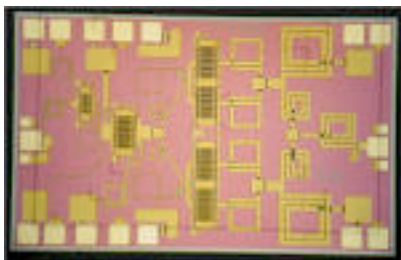
MMIC Power Amplifiers

When the Wassenaar 2013 rule and the BIS final military electronics rule are effective, BIS expects that the Commerce Control List (CCL) will control MMIC power amplifiers as described below. ECCNs 3A001.b.2 and 3A611.c will each control MMICs that operate at frequencies exceeding 2.7 GHz. ECCN 3A001.b.2 will control MMIC power amplifiers that operate in 12 frequency ranges. It applies the additional parameter of peak saturated power output and, in 10 of the operating frequency ranges, fractional bandwidth to identify the MMIC power amplifiers that it controls. ECCN 3A611.c will distinguish the MMIC power amplifiers that it will control from those in the same operating frequency range that ECCN 3A001.b.2 will control by specifying a higher fractional bandwidth value, or a higher peak saturated power output value or both, or by specifying the same fractional bandwidth and peak saturated power output values but also specifying a specified power added efficiency value.

BIS is seeking information that would help answer whether any of the MMIC power amplifiers that will be controlled under ECCN 3A611.c and .d upon the effective date of the BIS final military electronics rule actually have sufficient civil applications that would justify controlling them under ECCN 3A001.b.2 and .b.3, as those paragraphs are expected to be revised by the Wassenaar 2013 rule, respectively.

Specific information that identifies actual uses of the MMIC power amplifiers and discrete microwave transistors that were included in ECCN 3A611 in the BIS final military electronics rule is needed.

To the extent feasible, the information should identify product names, models, quantity, and total value of the MMIC power amplifiers and discrete microwave transistors used in those products.

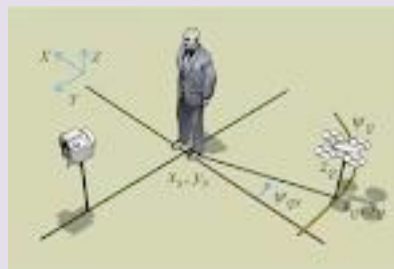


MIT Developing Light-Equipped Drones for Photography Use

Researchers at MIT and Cornell University are developing small, light-equipped autonomous drones to help produce lighting effects for photographers.

The hope is that the autonomous drone can produce a difficult lighting effect called "rim lighting," in which the edge of the photographer's subject is the only part of the subject that's strongly lit, according to an MIT News story published Friday.

"It's very sensitive to the position of the light," said Manohar Srikanth, who worked on the system as a graduate student and postdoc at MIT. "If you move the light, say, by a foot, your appearance changes dramatically."



Biden, Ukraine Leader Discuss Cease-Fire Efforts

WASHINGTON (AP) — Ukrainian President Petro Poroshenko has told Vice President Joe Biden that Ukraine's offers for cease-fire talks were all rejected by either Russia or pro-Russian separatists.

Biden and Poroshenko spoke by phone on Thursday. The White House says Poroshenko told Biden that Ukraine proposed multiple locations for negotiations in Ukraine, Russia and other countries. He says all were refused.



**Bureau of Industry and Security
BIS Export Regulation Course
August 6-7, 2014
Los Angeles, CA.**

This two-day program is led by the Bureau of Industry & Security'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 which items and activities are subject to the EAR; steps to take to determine your export control classification number (ECCN); when you can export or re-export without applying for a license' export clearance procedures and recordkeeping requirements; and Export Management & Compliance Program (EMCP) concepts. Presenters will conduct a number of "hands-on" exercises that will prepare you to apply the regulations to your own company's export activities.

RICK WEIR Acting Special Agent in Charge Office of Export Enforcement Bureau of Industry & Security

TOPICS: Compliance Voluntary Self-Disclosures Investigations Penalties Best Practices - "Know Your Customer" Guidance Tech

Transfers Deemed Exports Recent Enforcement Cases Red Flags Entity List Case Studies **AMANDA MIRALRIO Compliance Officer Office of Foreign Assets Control U.S. Department of**

Treasury **TOPICS:** TWEA (*Trading with the Enemy Act*) IEEPA (*International Emergency Economic Powers Act*) OFAC Jurisdiction SDN List (*Specially Designated Nationals*) Sanctions Programs TSRA (*Trade Sanctions Reform & Export Enhancement Act*) General Licenses

Location: Sheraton Gateway Los Angeles Hotel 6101 West Century Boulevard **Registration:** The registration fee is \$450 per person. (Includes continental breakfasts, a luncheon both full days, and conference materials. **Lodging:** Group rate of \$129/night is available until July 12th. **Registration Questions?** (949) 660-1688 or [email](#). **PROGRAM CONTENT Questions?** Please contact BIS at (949) 660-0144 or (408) 998-8806 or [email](#).

REGISTER NOW:

<https://www.regonline.com/Register/Checkin.aspx?EventID=1552229> **Detailed program information located at:** <http://cs.decsocal.org/BISEAR14.html>

**Export Control Reform: XI
Administration Publishes Changes to
Regulations Controlling Exports of
Military Electronics - June 30, 2014**

EFFECTIVE DATE DECEMBER 30, 2014

The U.S. Department of State and U.S. Department of Commerce published regulations today that streamline U.S. export controls on certain military electronics by shifting less sensitive equipment, parts, and components from Category XI of the Department's U.S. Munitions List (USML) to the Department of Commerce's Commerce Control List (CCL). These changes, which are part of the President's Export Control Reform Initiative, enhance our national security by increasing interoperability with our close allies and partners. These changes also reduce incentives for purchasers to deliberately avoid U.S.-origin parts and components. As a result of these changes, the United States will have greater visibility on arms transfers and end-uses of concern, including human rights abuses. The changes will take effect on December 30, 2014.

Updating U.S. export control lists is a key component of the President's Export Control Reform Initiative. Export Control Reform increases the competitiveness of key U.S. manufacturing and technology sectors by focusing our controls on current threats, as well as adapting them to the changing economic and technological landscape. The initiative overhauls the Cold War-era system of regulations on exports of controlled technologies. Changes to Category XI were based on exhaustive technical and policy reviews conducted by the Departments of State, Defense, and Commerce, as well as representatives from other relevant departments and agencies. These reforms were also developed in close consultation with Congress and the private sector, which provided extensive public review and comment on the proposed changes.

With this final rule, 15 of 21 Categories of the U.S. Munitions List have been successfully revised under the Export Control Reform Initiative. Work continues on the remaining categories and other efforts to modernize and harmonize the export control regulations.

Visit <http://export.gov/ecr/> for more information on the President's Export Control Reform Initiative. Additional information is available on the Export Control Reform page at <http://www.pmdtc.state.gov/ECR/index.html> of the Department's Directorate of Defense Trade Controls website. For additional information, please contact the Bureau of Political-Military Affairs' Office of Congressional and Public Affairs at PM-CPA@state.gov.

Treasury Reaches Largest Ever Sanctions-Related Settlement with BNP Paribas SA for \$963 Million

WASHINGTON – As part of a combined \$8.9 billion settlement with federal and state government agencies, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) today announced a \$963 million agreement with BNP Paribas SA (BNPP) to settle its potential liability for apparent violations of U.S. sanctions regulations. Today's settlement resolves OFAC's investigation into BNPP's systemic practice of concealing, removing, omitting, or obscuring references to information about U.S.-sanctioned parties in 3,897 financial and trade transactions routed to or through banks in the United States between 2005 and 2012 in apparent violation of the Sudanese Sanctions Regulations, 31 C.F.R. part 538; the Iranian Transactions and Sanctions Regulations, 31 C.F.R. part 560; the Cuban Assets Control Regulations, 31 C.F.R. part 515; and the Burmese Sanctions Regulations, 31 C.F.R. part 537.

OFAC worked closely with its counterparts at the Board of Governors of the Federal Reserve System (Board of Governors), the U.S. Department of Justice (DOJ), the New York County District Attorney's Office (DANY), and the New York State Department of Financial Services (NYDFS). Together, the agencies cooperated with France's Autorité de Contrôle Prudentiel et de Résolution, and collaborated closely throughout the investigation to ensure a global settlement. Today's OFAC settlement is being entered into simultaneously with the bank's resolution of the matter with the Board of Governors, DOJ, DANY, and the NYDFS.

"Today's settlement is OFAC's largest-ever and reaffirms OFAC's determination to aggressively enforce U.S. sanctions rules and regulations," said OFAC Director Adam J. Szubin. "The settlement is the result of an interagency effort to investigate institutions that abuse the U.S. financial system and undermine U.S. sanctions programs. OFAC will continue to coordinate these efforts with other federal and state agencies in order to protect the U.S. financial infrastructure from the risks inherent in this type of illicit activity."

The specific payment practices the bank utilized in order to process sanctions-related payments to or through the United States included omitting references to sanctioned parties; replacing the names of sanctioned parties with BNPP's name or a code word; and structuring payments in a manner that did not identify the involvement of sanctioned parties in payments sent to U.S. financial institutions. While these payment practices occurred throughout multiple branches and subsidiaries of the bank, BNPP's subsidiary in Geneva and branch in Paris facilitated or conducted the overwhelming majority of the apparent violations.

Under the settlement agreement, BNPP is required to put

BNPP is also required to provide OFAC with copies of submissions to the Board of Governors relating to the OFAC compliance review that it will be conducting as part of its settlement with the Board of Governors.

BNPP's \$963 million settlement with OFAC will be deemed satisfied by the bank's payment of that amount to DOJ for the same pattern of conduct.

U.S. Intelligence Officials are Concerned



FILE - In this June 24, 2014, file photo, Homeland Security Secretary Jeh Johnson testifies on Capitol Hill in Washington. Johnson is ordering increased security measures at some overseas airports offering direct flights to the United States. The Homeland Security Department would not immediately say July 2 whether the increased measures were in response to intelligence about a specific threat. But a U.S. counterterrorism official says American intelligence has seen indications that certain terrorist groups in Yemen and Syria are working on a bomb that could make it through airport security undetected. (AP Photo/Charles Dharapak, File) *Credit: The Associated Press*

WASHINGTON (AP) — U.S. intelligence officials are concerned that al-Qaida is trying to develop a new and improved bomb that could go undetected through airport security.

There is no indication that such a bomb has been created or that there's a specific threat to the U.S., but the Obama administration on Wednesday called for tighter security measures at foreign airports that have direct flights to the U.S.

By KEN DILANIAN Associated Press
EILEEN SULLIVAN Associated Press
JULY 3, 2014

Texas Woman Admits Illegally Exporting Advanced Combat Optical Gunsights, Sentenced to Prison

Deirdre M. Daly, United States Attorney for the District of Connecticut, announced that JANIECE MICHELLE HOUGH, 41, of Kempner, Texas, pleaded guilty today before U.S. District Judge Stefan R. Underhill in Bridgeport to one count of smuggling goods from the United States. The charge stems from HOUGH's sale of two Advanced Combat Optical Gunsights (ACOGs) destined for Germany in violation of the International Trafficking in Arms Regulations.

Following her plea of guilty, Judge Underhill sentenced HOUGH to six months of imprisonment, followed by three years of supervised release, the first eight months of which she must serve in home confinement. HOUGH was also ordered to perform 100 hours of community service and to forfeit \$198,054.

According to court documents and statements made in court, HOUGH worked for a government contractor and was based at Fort Hood in Texas. On the side, she operated an online business selling surplus military clothing and equipment on eBay. While working at Fort Hood, HOUGH purchased military equipment from U.S. Army personnel, including Michael Bartch, for re-sale online. In June 2010, HOUGH sold and shipped two ACOGs to an individual in Connecticut with the understanding that the AGOGs were destined for Germany.

HOUGH did not have a license from the U.S. State Department, which is required to export ACOGs and other items on the U.S. Munitions List.

Bartch, of Copperas Cove, Texas, was prosecuted by the U.S. Attorney's Office for the Western District of Texas. On April 17, 2013, he was sentenced to 24 months of imprisonment.

In the District of Connecticut, this case was investigated by the Defense Criminal Investigative Service, Homeland Security Investigations, and the U.S. Department of



Commerce, Bureau of Industry and Security, Boston Field Office.

Honda's First Jet Completes Maiden Flight

Honda Aircraft Co.'s first production jet completed its maiden flight, a milestone that will bring the airframe manufacturer closer to its goal of getting the aircraft certified and entered into service in 2015.



According to a company statement, the first production version of the HondaJet completed an 84 minute flight from its headquarters in Greensboro, N.C. During the flight, the aircraft climbed to 15,500 feet and reached 348 Knots True Airspeed (KTAS).

Honda said the flight crew was able to complete several checks during the flight, including low and high speed handling characteristics, landing gear and the functionality of the Garmin G3000 all-glass avionics system. The company is looking to achieve single pilot certification for the aircraft, which it currently offers for sale in North America and Europe.

The aircraft has a unique design, with the engines mounted over the wing instead of under it, in an effort to maximize cabin space, which holds a total of five passengers.

Honda will face stiff competition from North American competitor Cessna when the HondaJet is ready to enter service. Cessna also has a new entrant into the light business jet segment this year, with the Citation M2 which recently received certification from the European Aviation Safety Agency (EASA). The M2 features a similar range and cockpit with the G3000, and also features cabin room for more passengers and the ability to operate at airports with runways as short as 3,210 feet.

Michimasa Fujino, president of Honda's aircraft division said the first production flight "is an important achievement in bringing the world's most advanced light

Correction to Final Rules Export Reform 22 CFR Parts 121, 123, and 126

121 Changes include mostly minor revisions and clarifications by chapter.

123 Changes in language for clarity

126 Changes to Supplement 1 for ITAR Treaties, CANADIAN EXEMPTION, and TREATIES UK AND AUSTRALIA

Revisions and clarifications can be found on this link:

<http://www.pmddtc.state.gov/FR/2014/79FR36393.pdf>

Industry Notice

Industry Notice: DS2032 Registration Submitters: Due to a recent glitch with registration submissions, the Directorate of Defense Trade Controls (DDTC) requests that any DS2032 registration submitted between 3:50 pm on June 25, 2014 and 9:30 am on June 26, 2014 (i.e., transaction receipts ending in 860 through 893) be resubmitted via the Electronic Forms Submission page (<https://dtas-online.pmddtc.state.gov/>). Be advised that no breach of information occurred and the anomaly has been corrected. We regret any inconvenience this may have caused.

"Success is not final, failure is not fatal; it is the courage to continue that counts."

~Winston Churchill~



Seoul, South Korea (AP)

North Korea on Wednesday fired two short-range projectiles into waters off its east coast, South Korean officials said, on the eve of Chinese President Xi Jinping's talks in Seoul expected to focus on the North's nuclear weapons program.

The launches, the third in a week, were believed to be sending a message that the North is boosting its defenses and expressing its displeasure that Xi will become the first Chinese leader to visit rival South Korea before the North, analysts say.



Industry Notice: The DDTC In-House Seminar previously scheduled for August 14, 2014 has been **CANCELLED**

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2013 GINA AWARD (CONTINUED FROM PAGE 1)

- ✓ Demonstrate tenacity to see compliance through
- ✓ Attention to detail
- ✓ Courage to protect national security interests and to prevent unlawful exports
- ✓ Commitment to the law and regulations

Nominations for the “GINA Award” for Outstanding Export Compliance Individuals and the “GINA Award” for Corporate Export Compliance Commitment will be accepted from companies and individuals from around the country. Nomination papers will be reviewed and screened by a panel of experts. A beautiful globe with inscription will be awarded in the fall.

The Criteria for Corporate Export Compliance Commitment includes:

- ✓ Regulatory “buy in” from corporate
- ✓ Corporate wide respect and commitment to the letter and spirit of the law
- ✓ Speed at which the whole company is brought into full Compliance
- ✓ Proper authority awarded to export compliance individuals
- ✓ Proper resources and funding given export compliance
- ✓ Receipt of Executive Awareness Training in matters of export compliance

2013 Honorable Mentions

A number of honorees have been listed in previous years as well!

Congratulations to all!

Individual Nominees:

- Eric Lee, Senior Aerospace CT
- Laurie Grimmel, Senior Pathways Wahlco
- Stephanie Wiley, Senior Pathways
- Janice Costa, Senior Aerospace Metal Bellows
- Stephenie Hills, Senior Aerospace SSP
- Anusch Tyufekchyan, Senior Aerospace SSP
- Doug Nelson, Senior Aerospace Ketema
- Jennifer Shelton, Senior Aerospace Jet
- Zig Woronko, L-Com
- Holly Hall, PCC Synchronous Weaver
- Gene Fibert, PCC Synchronous Brittain

Corporate Nominees:

- Senior Aerospace Jet
- Senior Aerospace Ketema
- L-Com

Industry Notice: The DDTC In-House Seminar previously scheduled for August 14, 2014 has been **CANCELLED**

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