



EIB World Trade Headlines

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BIS Issues FR Notice on Authority of BIS Export Offices to Execute Warrants

The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 which became Public Law 111-195 on 07/01/10, not only expanded the sanctions imposed against Iran, but also provided the Bureau of Industry and Security (BIS) certain permanent enforcement authority and authorized certain appropriations. The bill gives BIS export enforcement officers the authority to execute a warrant, make arrests without warrant, and carry firearms when the officer is carrying out activities to enforce the:

- Export Administration Act of 1979, (as in effect pursuant to the International Emergency Economic Powers Act, collectively, IEEPA);
- Prevention of Diversion of Certain Goods, Services, and Technologies to Iran (Title III of the Iran Sanctions Act);
- any other provision of law relating to export controls, with respect to which the Secretary of Commerce has enforcement responsibility; or
- any license, order, or regulation issued under IEEPA, the Iran Sanctions Act, or any other provision of law relating to export controls.

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According to comments made by BIS Under Secretary Eric Hirshorn, this is the first time permanent law enforcement authority has been given to BIS export enforcement agents. The Iran Sanctions Act also authorized appropriations to BIS of \$113 million for fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 and 2013 to increase capacity for efforts to combat unlawful or terrorist financing.

FR Notice: http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_public_laws&docid=f%3Apubl195.111.pdf

Senate Small Business Jobs Bill Contains Export Provisions

Recently the Senate passed its own version of H.R. 5297, the Small Business Jobs and Credit Act of 2010.

The House passed its own version of H.R. 5297 on 06/17/10; however, it does not appear to contain any export-related provisions. AS reported the House is scheduled to consider the Senate's version of H.R. 5297.

The Senate's version of H.R. 5297 includes over \$5 million in appropriations would be authorized for the U.S. Trade Representative (USTR) for analyzing and developing opportunities for businesses in the U.S. to access the markets of foreign countries; and enforcing trade agreements to which the U.S. is a party. The bill would require the USTR to give preference to initiatives that create the greatest number of jobs/benefits in the U.S. and consider the needs of small- and medium-size businesses. In addition, certain Small Business Administration (SBA) loan programs would be amended and their limits significantly increased. Changes would be made to provisions involving working capital, collateral, Export Working Capital Program, Preferred Lenders Program, Export Express Program, and export finance lenders. A 3-year trade and export promotion pilot program (to be known as the State Trade and Export Promotion (STEP) Grant Program) would be established to make grants to States to carry out export programs that assist eligible small businesses. The bill would also establish an export and trade counseling certification program to certify employees of lead small business development centers and lead women's business centers in providing export assistance to small business concerns. The Commerce Department would be required, during the 24 month period following enactment, to increase the number of full-time employees whose primary responsibilities involve promoting or facilitating participation by U.S. businesses in the global marketplace. Fiscal years

(FYs) 2011 and 2012 appropriations would also be authorized to carry out established activities.

H.R. 5297: http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f%3Ah5297eas.txt.pdf

Directorate of Defense Trade Controls (DDTC) Guidance for Exports to Iraq and Afghanistan (Revised 09/01/10)

It is the policy of the Department of State to expedite requests for exports directly supporting our coalition efforts in Iraq and Afghanistan. To ensure these priority efforts are supported, the Department will ensure only requests directly related to coalition operations are afforded this expedited review. To be eligible for this expedited handling, the following criteria must be met and the requests must be for:

- Defense articles and services to forces or organizations deployed in Afghanistan and Iraq, or;
- Defense articles and services to forces or organizations within 90 days of a scheduled deployment.

License applications submitted requesting expedited handling but not in fact meeting these criteria will be returned without action and the applicant will be instructed to resubmit as a routine license. For more information:

http://www.pmdtcc.state.gov/licensing/documents/gl_OND-OEF.pdf



DHS OIG Issues Report on Air Cargo Screening

The Department of Homeland Security (DHS) inspector general's office completed an audit of air cargo screening at selected airports. However, the report, the results and recommendations are classified. DHS reported that it audited security at nine unnamed airports that handled high volumes of cargo. In an audit in 2007, the inspector general found several vulnerabilities with air cargo security including access control, and background checks for cargo handlers. The latest audit focused on three screening technologies:

1. explosive trace detection,
2. x-ray, and
3. physical search.

Brandon Fried, president of the Airforwarders Association, announced that screening of 100 percent of cargo flown on passenger aircraft has moved ahead smoothly since it became mandatory on 08/01/10. Fried noted that the association is planning to poll members about their experiences under the new rule.

The inspector general's report: http://www.dhs.gov/xoig/assets/mgmttrpts/OIG_10-119_Sep10.pdf
www.joc.com (10/07/10)

Washington, D.C. - U.S. Trade

Representative Ron Kirk today welcomed bilateral resolutions on issues that need to be addressed in the terms for the Russian Federation's accession to the World Trade Organization (WTO).

"As President Obama has made clear, having Russia in the rules-based system of the WTO is clearly in the United States' interest, and we will continue to offer our support as Russia completes the accession process," said Ambassador Kirk. **"By reaching bilateral agreement on key issues related to the accession process, Russia can now devote additional energy to addressing remaining steps at the multilateral level. The United**

States will continue to provide support to Russia as it accomplishes these steps, and to contribute to continued momentum in the process, in cooperation with other members of the WTO."

U.S. and Russian negotiators have been meeting intensively since the June 24 meeting between Presidents Obama and Medvedev, in which the two leaders noted their shared interest in completing Russia's WTO accession process as soon as possible and directed their negotiators to settle the small number of bilateral issues related to Russia's WTO accession by September 30, 2010.

Through a series of meetings, the United States and Russia have reached agreement on the substance of a number of Russian commitments that should be reflected in the final terms for its accession. These commitments relate to areas of particular importance to U.S. trade policy interests, such as intellectual property rights (IPR), government procurement, and transparency in the decision-making process on trade-related issues. Given the multilateral nature of the WTO accession process, these bilaterally-agreed solutions will be considered by other members of the Working Party on Russia's accession.

In addition, the Russian Federation has enacted amendments to laws related to the protection of IPR, to reflect relevant WTO requirements and earlier commitments made to the United States on IPR. The United States welcomes this important step, which also contributes directly to completion of the WTO accession process, and looks to the effective implementation of these new laws in accordance with bilateral understandings and WTO requirements.

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As Russia continues to advance in its efforts to join the WTO, the United States looks forward to further enhancing bilateral trade relations with Russia.

Ongoing and vigorous efforts will be required with respect to a number of important areas, such as the enforcement of intellectual property rights, trade in meat and other agricultural products, and Russia's regulation of imports of products containing encryption technology. Ambassador Kirk welcomes the willingness of the Russian government to engage constructively in these efforts.

Travel Warnings are issued when long-term, protracted conditions that make a country dangerous or unstable lead the State Department to recommend that Americans avoid or consider the risk of travel to that country. A Travel Warning is also issued when the U.S. Government's ability to assist American citizens is constrained due to the closure of an embassy or consulate or because of a drawdown of its staff. **The countries listed below meet those criteria.**

Lebanon 10/08/2010
Iran 10/08/2010
Sudan 10/01/2010
Eritrea 09/24/2010
Mexico 09/10/2010
Korea, Democratic People's Republic of 08/27/2010
Afghanistan 08/13/2010
Israel, the West Bank and Gaza 08/10/2010
Mali 08/06/2010
Mauritania 08/02/2010
Uzbekistan 07/22/2010
Pakistan 07/22/2010
Chad 07/09/2010
Haiti 06/24/2010
Guinea 06/16/2010
Nepal 06/15/2010
Nigeria 06/15/2010
Burundi 05/19/2010
Cote d'Ivoire 05/12/2010
Niger 05/11/2010
Georgia 05/03/2010
Congo, Democratic Republic of the 04/21/2010
Philippines 04/02/2010
Algeria 04/02/2010
Kenya 03/16/2010
Colombia 03/05/2010
Central African Republic 02/26/2010
Yemen 02/25/2010
Iraq 02/25/2010
Saudi Arabia 02/18/2010
Somalia 12/31/2009