

2008 Current Fiscal Year Report: Deemed Exports Advisory Committee

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1. Department or Agency

Department of Commerce

2. Fiscal Year

2008

3. Committee or Subcommittee

Deemed Exports Advisory Committee

3b. GSA Committee No.

29122

4. Is this New During Fiscal Year?

No

5. Current Charter

05/10/2007

6. Expected Renewal Date

05/10/2009

7. Expected Term Date

8a. Was Terminated During Fiscal Year?

Yes

8b. Specific Termination Authority

8c. Actual Term Date

05/10/2008

9. Agency Recommendation for Next Fiscal Year

Terminate

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

Enacted

11. Establishment Authority Agency Authority

12. Specific Establishment Authority

Secretarial Decision Memorandum

13. Effective Date

03/23/2006

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee Other Committee

16a. Total Number of Reports

No Reports for this Fiscal Year

17a. Open Meetings and Dates 0 17b. Closed Meetings and Dates 0 17c. Partially Closed Meetings and Dates 0 17d. Total Meetings and Dates 0

No Meetings

| | Current FY | Next FY |
|--|-------------|---------|
| 18a(1). Personnel Pmts to Non-Federal Members | \$0.00 | \$0.00 |
| 18a(2). Personnel Pmts to Federal Members | \$0.00 | \$0.00 |
| 18a(3). Personnel Pmts to Federal Staff | \$30,000.00 | \$0.00 |
| 18a(4). Personnel Pmts to Non-Member Consultants | \$0.00 | \$0.00 |
| 18b(1). Travel and Per Diem to Non-Federal Members | \$0.00 | \$0.00 |
| 18b(2). Travel and Per Diem to Federal Members | \$0.00 | \$0.00 |
| 18b(3). Travel and Per Diem to Federal Staff | \$0.00 | \$0.00 |
| 18b(4). Travel and Per Diem to Non-member Consultants | \$0.00 | \$0.00 |
| 18c. Other(rents,user charges, graphics, printing, mail, etc.) | \$1,900.00 | \$0.00 |
| 18d. Total | \$31,900.00 | \$0.00 |
| 19. Federal Staff Support Years (FTE) | 0.00 | 0.00 |

20a. How does the Committee accomplish its purpose?

The Deemed Exports Advisory Committee (DEAC) provided recommendations to the Bureau of Industry and Security's (BIS) deemed export policy that would improve the effectiveness in preventing unauthorized transfers of technology or source code within the United States. The DEAC developed recommendations for improvements to policies on the transfer of technology or source code subject to the Export Administration Regulations to persons within the United States. The DEAC analyzed the deemed export program, paying particular attention to a number of issues, including: the types of technology that is controlled, the manner in which this technology is controlled and scope of countries/groups subject to the controls. The DEAC established working groups to focus on specific parts of deemed export policy. The Committee chartered through May 2008, In December 2007, the Committee complete its report and present it to the Secretary of Commerce.

20b. How does the Committee balance its membership?

The Committee is composed of academic leaders, industry representative and U.S. Government with specific technical or export control expertise in the transfer of technology or source code. Members are appointed to assure a balanced representation of views among business executives, university administrators, and other experts in the field.

20c. How frequent and relevant are the Committee Meetings?

The DEAC did not meet in FY 2008. Committee expired May 10, 2008.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

This Committee is essential to address the growing security risks arising from foreign nationals visiting or working in the United States. This advice is not available from any other Committees.

20e. Why is it necessary to close and/or partially closed committee meetings?

Closed sessions are held to allow for discussion of information classified for reasons of national security, information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action, or information of a commercial or financial nature that is privileged or confidential.

21. Remarks

Designated Federal Officer

Bernard Kritzer Director, National Security & Technology Transfer Controls

| Committee Members | Start | End | Occupation | Member Designation |
|-------------------|------------|------------|---|--|
| Augustine, Norman | 08/21/2006 | 12/31/2007 | Lockheed Martin Corporation | Special Government Employee (SGE) Member |
| Carnesale, Albert | 08/21/2006 | 12/31/2007 | University of California, Los Angeles | Special Government Employee (SGE) Member |
| David, Ruth | 08/21/2006 | 12/31/2007 | Analytic Services, Inc. | Special Government Employee (SGE) Member |
| Engler, John | 08/21/2006 | 12/31/2007 | National Association of Manufacturers | Special Government Employee (SGE) Member |
| Frank, Anthony | 08/21/2006 | 12/31/2007 | Colorado State University | Special Government Employee (SGE) Member |
| Gordon, John | 08/21/2006 | 12/31/2007 | Former Deputy Director, Central Intelligence Agency | Special Government Employee (SGE) Member |
| Kritzer, Bernard | 06/07/2006 | 12/31/2007 | Department of Commerce | Regular Government Employee (RGE) Member |
| O'Keefe, Sean | 08/21/2006 | 12/31/2007 | Louisiana State University | Special Government Employee (SGE) Member |
| Pell, Eva | 08/21/2006 | 12/31/2007 | Pennsylvania State University | Special Government Employee (SGE) Member |
| Siedow, James | 08/21/2006 | 12/31/2007 | Duke University | Special Government Employee (SGE) Member |
| Splinter, Mike | 08/21/2006 | 12/31/2007 | Applied Materials | Special Government Employee (SGE) Member |
| Wulf, William | 08/21/2006 | 12/31/2007 | National Academy of Engineering, University of Virginia | Special Government Employee (SGE) Member |

Number of Committee Members Listed: 12

Narrative Description

The Committee will address the complex issues surrounding sensitive technology transfers which involve the release of closely monitored dual-use technology to foreign nationals in the U.S., known as deemed exports. Unauthorized release of tightly monitored technology to parties of concern could contribute to the development of weapons of mass destruction.

What are the most significant program outcomes associated with this committee?

Checked if Applies

- Improvements to health or safety
- Trust in government
- Major policy changes
- Advance in scientific research
- Effective grant making
- Improved service delivery
- Increased customer satisfaction

- Implementation of laws or regulatory requirements
- Other

Outcome Comments

NA

What are the cost savings associated with this committee?

Checked if Applies

- None
- Unable to Determine
- Under \$100,000
- \$100,000 - \$500,000
- \$500,001 - \$1,000,000
- \$1,000,001 - \$5,000,000
- \$5,000,001 - \$10,000,000
- Over \$10,000,000
- Cost Savings Other

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

120

Number of Recommendations Comments

The Committee met six times in FY07 and has an average of 20 recommendations per meeting.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

% of Recommendations Fully Implemented Comments

NA

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

NA

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes No Not Applicable

Agency Feedback Comments

The agency includes the Deemed Export Advisory Committee in the process of incorporating the determinations of the various multilateral regimes into the Export Administration Regulations.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

- Reorganized Priorities
- Reallocated resources
- Issued new regulation
- Proposed legislation
- Approved grants or other payments
- Other

Action Comments

NA

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

Checked if Applies

- Contact DFO
- Online Agency Web Site
- Online Committee Web Site
- Online GSA FACA Web Site
- Publications

Other



Access Comments

N/A