

U.S. Department of Commerce Bureau of Industry and Security

Export Enforcement



William Higgins
Special Agent in Charge
Boston Field Office

Export Enforcement Mission



The mission of the Bureau of Industry and Security (BIS) Export Enforcement is to protect U.S. national security, homeland security, foreign policy, and economic interests through a law enforcement program focused on: sensitive exports to hostile entities or those that engage in onward proliferation; prohibited foreign boycotts; and related public safety laws. BIS's Export Enforcement (EE) is a specialized law enforcement organization recognized for its expertise, professionalism, integrity, and accomplishments. EE accomplishes its mission through preventative and investigative enforcement activities and then, pursuing appropriate criminal and administrative sanctions against export violators.



OEE Enforcement Authorities

- **Export Control Reform Act (ECRA) of 2018 – ECRA (Title XVII, Subtitle B of Pub. L. 115-232, 132 Stat. 2208) became law in August 2018. It is the permanent statutory authority for the Export Administration Regulations (15 C.F.R. §§730-774)**
- International Emergency Economic Powers Act, as amended (Pub. L. 95-223, 91 Stat. 1628, 50 U.S.C. 1701 - 1706)
- 13 U.S.C. §305 (False AES filings)
- Iranian Transaction Regulations (31 C.F.R. §560)

Additional Statutes Commonly Used

- 18 U.S.C. §1001 (False Statements)
- 18 U.S.C. §371 (General Conspiracy)
- 18 U.S.C. §554 (Outbound Smuggling)

Enforcement Penalties and Tools



- Criminal penalties (willful)
 - Incarceration (20 years)
 - Fines (\$1 million)
 - “Beyond a Reasonable Doubt” Standard
- Administrative penalties
 - Fines (greater of \$300,000 or twice the value of transaction)
 - Denial of Export Privileges
 - “Preponderance of Evidence” Standard
- Public screening lists
 - Denied Persons List
 - Entity List
 - Unverified List

FY2010 - FY2019*



Deterrence through Active Enforcement

- 465 Years of total Prison Time
- \$623.4 Million in Criminal Fines
- \$987.9 Million in Criminal Forfeitures
- Nearly \$2 Billion in Unique BIS-only Regulatory Penalties

**BIS investigations resulted in over
\$3.5 Billion in sanctions**

*Through August 2019

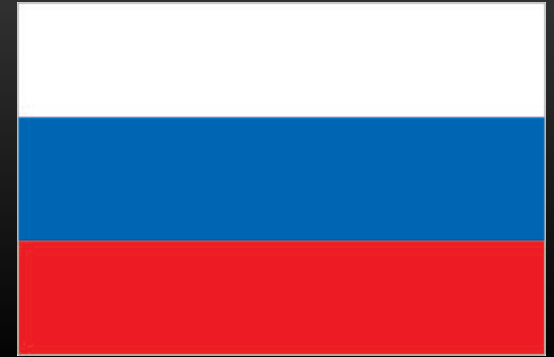
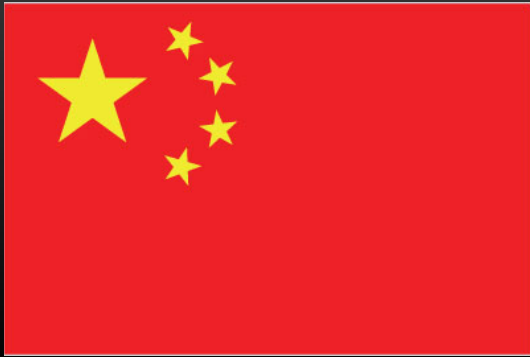


Cooperation

2015-present

OEE outreach visits: 7033

Boston Field Office outreach visits: 800



Priorities





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