



Bureau of Industry and Security

Mission Statement

The mission of the Bureau of Industry and Security (BIS) is to advance U.S. national security, foreign policy, and economic interests. BIS's activities include regulating the export of sensitive goods and technologies in an effective and efficient manner; enforcing export control, antiboycott, and public safety laws; cooperating with and assisting other countries on export control and strategic trade issues; assisting U.S. industry to comply with international arms control agreements; monitoring the viability of the U.S. defense industrial base; and promoting federal initiatives and public-private partnerships to protect the nation's critical infrastructures.

BIS's primary activities include:

- *Administering U.S. dual-use export controls.* BIS imposes controls on exports of dual-use goods and technology to counter proliferation of weapons of mass destruction (WMD) and to pursue other national security and foreign policy goals (such as combating terrorism). BIS administers this export control system through the promulgation and implementation of a regulatory, licensing, and reporting regime. An Administration goal is to secure enactment by Congress of a long-term legal framework that will simplify and update export controls, reducing the burden on U.S. industry while protecting national security more effectively.
- *Enforcing U.S. export control and antiboycott laws.* BIS enforcement agents investigate and help prosecute potential violations of U.S. export control and antiboycott laws which can result in the imposition of civil and criminal sanctions. BIS also engages in preventive enforcement to deter potential violations.
- *Ensuring compliance with arms control treaties that impose requirements on U.S. industry.* BIS serves as the lead agency for ensuring U.S. industry compliance with the Chemical Weapons Convention (CWC), managing inspections by the Organization for the Prohibition of Chemical Weapons at U.S. industrial sites. BIS also works with U.S. industry in the context of the Biological and Toxin Weapons Convention.
- *Monitoring the viability of the defense industrial and technology base, and seeking to ensure that it is capable of satisfying U.S. national security and homeland security needs.* As the Defense Department increases its reliance on dual-use goods, BIS seeks to ensure that the U.S. remains competitive in those industry sectors and sub-sectors critical to the national security. To this end, BIS discharges responsibilities under the Defense Production Act and other laws, including administration of the federal government's Defense Priorities Allocations System, assessing threats to U.S. national security deriving from imports, and promoting U.S. defense companies competing for international sales opportunities.

- *Assisting key countries that export or serve as transit points for sensitive commodities and technologies to develop effective export control systems.* The effectiveness of U.S. export controls can be severely undercut if other nations export sensitive goods and technologies or permit re-export or transshipment of such items to countries or end-users of concern. A number of such countries require assistance to establish effective export control programs of their own. BIS directly provides technical assistance to this end in cooperation with other U.S. government agencies.

Priorities/Management Challenges

Obtaining Passage of a New Export Administration Act (EAA) —There has not been a comprehensive rewriting of the EAA since 1979. A revised EAA that seeks to provide a balanced framework for administering and enforcing export controls in the twenty-first century would enhance both U.S. national security and U.S. economic interests. The need for the passage of a renewed EAA has increased after the recent terrorist attacks aimed at the U.S. Such legislation would help BIS more effectively prevent the proliferation of weapons of mass destruction by controlling the export of dual-use items that could contribute to the development of such programs by terrorist-supporting states and other terrorist organizations.

Establishment of an Office of Technology Evaluation (OTE)— The establishment of this Office will aid BIS in advancing its mission of U.S. national security, foreign policy, and economic interests by having the resources, and therefore the ability and knowledge to conduct thorough, systematic analysis of export control policies and their impact on businesses. The OTE would enable the U.S. government to replace its existing Cold War era regime of blanket dual-use controls with targeted “smart export controls,” which serve their intended purposes more effectively and with less burden on industry.

Enhancing Multilateral Cooperation with Regard to Export Controls—BIS believes it is worthwhile to explore with key allies and partners whether it can reach agreement on uniform restrictions of certain critical technologies. U.S. companies would be benefited by no longer being undercut by foreign competitors competing for the same export sales. It would, moreover, strengthen overall national security. BIS also seeks to improve the effectiveness of the multilateral export control regimes by pursuing other initiatives within the regimes.

Enhancing the Interagency Licensing Process — BIS wants to strengthen its working relationships with the Departments of Energy, State, and Defense and the intelligence community to improve the licensing process while ensuring that national security concerns are fully considered. BIS aims to shorten the time period for licensing decisions and to increase the level of exporter understanding of BIS export control requirements.

Transshipment Country Export Control Initiative — BIS seeks to strengthen the effectiveness of U.S. and foreign country export control systems by preventing diversion of controlled items through key global transshipment hubs. This multi-pronged initiative seeks to counter diversion through transshipment hubs by working with (1) foreign governments to strengthen indigenous control systems and capabilities, and to work cooperatively with U.S. agencies to enhance export control enforcement, and (2) those private sector institutions with significant presences in transshipment hubs to promote greater awareness of and compliance with U.S. export and re-export controls. Specific components of the initiative may include technical assistance programs, private sector outreach, the adoption of best practices adapted to transshipment business environments, and, as needed, revised regulations.

Develop New Export Enforcement Priorities and Procedures Strategy — BIS seeks to strengthen its enforcement of export controls by developing and implementing a new comprehensive enforcement strategy, including procedures and priorities for criminal and administrative cases. Development and implementation of this strategy would facilitate speedier, more effective processing of cases. The strategy will require close cooperation with the Commerce Department's Office of General Counsel and with U.S. Attorneys' offices around the U.S.

FY 2004 Program Changes

(Dollars in Thousands)

	Base		Increase / Decrease	
	FTE	Amount	FTE	Amount
Office of Technology Evaluation (OTE)	212	\$34,471	4	+\$1,000

The OTE will specifically be charged with (1) identifying sensitive new technologies for potential inclusion on the Commerce Control List in order to protect U.S. national security; (2) assessing whether items currently controlled are available abroad or on a mass market basis; (3) conducting a thorough, systematic review of the Commerce Control List to ensure that items are appropriately controlled for the protection of U.S. national security; and (4) reviewing the effectiveness of multilateral export control regimes and of the control systems of regime members.

	Base		Increase / Decrease	
	FTE	Amount	FTE	Amount
Enhanced export enforcement	220	\$34,427	7	+\$1,293

Consistent with the President's mandate and broader federal law enforcement initiatives, the last year has brought a renewed emphasis within BIS on the prevention and prosecution of any diversion of sensitive dual-use items to terrorist groups and countries of concern. These initiatives have placed – and promise to continue to place – an increased demand on BIS's resources. To meet the demand, BIS will focus on recruiting: (1) additional staff for its computer evidence recovery program; (2) additional agents for its Intelligence and Field Support Division; and (3) additional agents for its field offices in New York and Chicago.

Targets and Performance Summary

See individual Performance Goal sections for further description of each measure.

Performance Goal 1: Enhance the Efficiency of the Export Control System While Protecting U.S. National Security Interests								
Measure	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Target	FY 2002 Actual	FY 2003 Target	FY 2004 Target	
Median processing time for referrals of export licenses to other agencies (days)	New	New	New	New	New	9	9	
Median processing time for export licenses not referred to other agencies (days)	New	New	New	New	New	15	15	
Median processing time for issuing draft regulations (months)	New	New	New	New	New	3	2	
Level of exporter understanding of BIS export control requirements	Value of information (average score on scale of 1-5)	New	New	New	Establish baseline	Baseline established (4.2)	4.2	4.2
	Knowledge gained indicator (scale of 0-4)	New	New	New	Establish baseline	Baseline established (1.0)	1.0	1.0
Number of industry assessments	New	New	New	New	New	New	14	

Performance Goal 2: Ensure U.S. Industry Compliance With the Chemical Weapons Convention (CWC) and, When Approved, Additional Protocol to the International Atomic Energy Agency (IAEA) Safeguards Agreement							
Measure	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Target	FY 2002 Actual	FY 2003 Target	FY 2004 Target
Number of site assistance visits conducted to assist companies prepare for international inspections	New	New	New	12	16	12	24

Performance Goal 3: Detect Illegal Export Transactions and Penalize Violators							
Measure	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Target	FY 2002 Actual	FY 2003 Target	FY 2004 Target
Number of cases opened that result in the prevention of a criminal violation or the prosecution of a criminal or administrative case	68	93	81	75	82	85	85
Number of post-shipment verifications completed	New	New	New	300	415	375	500
Length of time, once a licensing determination is obtained, for case presentation to an assistant United States attorney (days)	New	New	New	New	New	New	90

Performance Goal 4: Assist Key Nations to Establish Effective Export Control Programs

Measure	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Target	FY 2002 Actual	FY 2003 Target	FY 2004 Target
Number of targeted deficiencies remedied in the export control systems of program nations	New	New	New	20	25	25	25

Performance Goal 5: Coordinate Activities for the Protection of Critical Infrastructures, and to Assure that the Federal Government Continues to Be Able to Deliver Services Essential to the Nation's Security, Economy, and the Health and Safety of its Citizens

Measure	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Target	FY 2002 Actual	FY 2003 Target	FY 2004 Target
Number of outreach conferences or seminars	New	New	New	44	49	17	Discontinued ¹
Progress toward completion of the three-step project matrix process	New	New	New	12	5	26	Discontinued ¹

Note 1: Progress is indicated by the number of project matrix steps completed by federal agencies.

¹ Explanation of Discontinued Measures: On November 25, 2002, the President signed the Homeland Security Bill into law. The new law creates the Department of Homeland Security, to which the Critical Infrastructure Assurance Office will be transferred. As a result of this transfer, starting in FY 2004, this goal and its associated measures will no longer be part of BIS.

Resource Requirements Summary

(Dollars in Millions. Funding amounts reflect total obligations.)

Information Technology (IT)

Full Time Equivalent (FTE)

Performance Goal 1: Enhance the Efficiency of the Export Control System While Protecting U.S. National Security Interests

	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate	FY 2004 Base	Increase/ Decrease	FY 2004 Request
Management and Policy Coordination	1.3	1.1	1.1	2.2	2.3	2.3	0.0	2.3
Export Administration	22.8	19.9	22.8	24.7	27.2	27.2	1.0	28.2
Reimbursable	1.1	0.7	0.1	0.7	1.5	1.0	0.0	1.0
Total Funding	25.2	21.7	24.0	27.6	31.0	30.5	1.0	31.5
IT Funding ¹	0.7	0.9	1.0	1.8	1.7	2.1	0.0	2.1
FTE	179	169	164	156	194	195	4	199

Performance Goal 2: Ensure U.S. Industry Compliance With the Chemical Weapons Convention (CWC) and, When Approved, International Atomic Energy Safeguards Agreement (IAEA) Protocol

	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate	FY 2004 Base	Increase/ Decrease	FY 2004 Request
Management and Policy Coordination	New	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Export Administration	New	4.2	6.5	4.5	10.8	7.3	0.0	7.3
Reimbursable	New	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Funding	New	4.2	6.5	4.5	0.0	7.3	0.0	7.3
IT Funding ¹	New	0.0	0.0	0.0	0.0	0.0	0.0	0.0
FTE	New	30	22	22	29	29	0	29

Performance Goal 3: Detect Illegal Export Transactions and Penalize Violators

	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate	FY 2004 Base	Increase/ Decrease	FY 2004 Request
Management and Policy Coordination	1.3	1.3	1.1	2.4	2.8	2.9	0.0	2.9
Export Administration	23.9	24.6	25.9	27.3	33.8	34.4	1.3	35.7
Reimbursable	0.0	0.1	0.1	0.3	0.3	0.3	0.0	0.3
Total Funding	25.2	26.0	27.1	30.0	36.8	37.6	1.3	38.9
IT Funding ¹	0.8	1.0	1.0	2.0	2.1	2.6	0.0	2.6
FTE	183	175	178	171	226	230	7	237

Performance Goal 4: Assist Key Nations to Establish Effective Export Control Program

	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate	FY 2004 Base	Increase/ Decrease	FY 2004 Request
Management and Policy Coordination	1.2	1.4	1.5	1.4	1.7	1.8	0.0	1.8
Reimbursable	3.0	2.9	3.8	4.1	7.0	4.5	0.0	4.5
Total Funding	4.2	4.3	5.3	5.5	8.7	6.3	0.0	6.3
IT Funding ¹	0.1	0.4	0.4	0.4	0.5	0.4	0.0	0.4
FTE	9	9	9	9	9	9	0	9

Transferred Performance Goal 5: Coordinate Activities for Homeland Security, the Protection of Critical Infrastructures, and to Assure that the Federal Government Continues to be Able to Deliver Services Essential to the Nation's Security, Economy, and the Health and Safety of its Citizens

	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate	FY 2004 Base	Increase/ Decrease	FY 2004 Request
Management and Policy Coordination	0.0	0.0	0.0	0.0				
Critical Infrastructure	4.4	4.4	4.8	-				
Homeland security and information intelligence	0.0	0.0	0.0	-				
Reimbursable	0.0	0.0	0.0	0.0				
Total Funding	4.4	4.4	4.8	0.0				
IT Funding ¹	0.0	0.0	0.0	0.0				
FTE	7	16	16	0.0				

Grand Total	FY 1999 Actual	FY 2000 Actual	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate	FY 2004 Base	Increase/ Decrease	FY 2004 Request
Operations and Administration								
Management and Policy Coordination	3.8	3.8	3.7	6.0	6.8	7.0	0.0	7.0
Export Administration	22.8	24.1	29.3	29.2	38.0	34.5	1.0	35.5
Export Enforcement	23.9	24.6	25.9	27.3	33.8	34.4	1.3	35.7
Critical Infrastructure	4.4	4.4	4.8	-	Transferred	Transferred	Transferred	Transferred
Homeland Security and Information Intelligence	0.0	0.0	0.0	-	Transferred	Transferred	Transferred	Transferred
Total Funding	54.5	56.4	63.1	67.6	87.4	81.7	2.3	84.0
Direct	50.5	52.5	59.1	62.5	78.6	75.9	2.3	78.2
Reimbursable ²	4.0	3.9	4.0	5.1	8.8	5.8	0.0	5.8
IT Funding ¹	1.6	2.6	2.6	4.2	4.2	5.2	0.0	5.2
FTE ³	371	383	373	358	458	463	11	474

¹ IT funding included in total funding.

² Reimbursable funding included in total funding.

³ Includes reimbursable FTEs.

Note: Totals may differ slightly due to rounding.

Skills Summary

- Extensive working knowledge of the EAA, Export Administration Regulations, and related Executive Orders pertaining to the control of dual-use commodities.
- Knowledge of world political/economic systems and current trends in U.S. trade and national security and foreign policy issues.
- Superior analytic abilities for complex licensing/policy decisions and regulatory interpretations.

IT Requirements

- Computer programmers, system analysts, database managers, and network engineers.

FY 2002 Performance Goals

Performance Goal 1: Enhance the Efficiency of the Export Control System While Protecting U.S. National Security Interests

Corresponding Strategic Goal

Strategic Goal 1: Provide the information and the framework to enable the economy to operate efficiently and equitably.

Rationale for Performance Goal

BIS serves U.S. companies engaged in international trade by analyzing export license applications for controlled commodities in accordance with Export Administration Regulations (EAR). BIS also serves U.S. companies in conjunction with the Departments of Defense, Energy, and State by making prompt decisions on license and related applications, and by providing guidance to exporters on how to conform to applicable laws and regulations. BIS is particularly vigilant in evaluating transactions involving advanced technologies and dual-use products that potentially can be diverted to use in missile programs or in chemical, biological, nuclear, or conventional weapons programs. BIS also implements the Defense Production Act by analyzing the defense industrial and technology base to ensure that the United States remains competitive in sectors that are critical to the national security.

Responding to increased concern about the proliferation of weapons of mass destruction, BIS continues to refine U.S. export controls in light of geopolitical and business realities. BIS also seeks to enhance the effectiveness of the EAR by educating exporters and other stakeholders in the export licensing process thereby improving industry compliance with export control regulations. These efforts will increase the efficiency of the license processing system and thus enable exporters to be more competitive in the global economy while deterring transactions that threaten U.S. security interests.

Measure 1a: Median Processing Time for Referral of Export Licenses to Other Agencies (Days)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	New	9	9
Actual						
Met/Not Met						

(This measure has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This measure was previously worded as: "Average Processing Time for Export Licenses.")

Explanation of Measure

The FY 2002 performance measure, Average Processing Time for Export Licenses, sought to measure the average processing time of an export license application from its receipt to a final license decision. This earlier measure is a vestige of an era when BIS had complete control over the licensing process. Today, however, approximately 85 percent of all export licenses must be referred to other agencies (as dictated by Executive Order 12981) for their review causing unavoidable delays. This new measure monitors the time it takes to process a license application from receipt to its referral. Measures 1a and 1b more accurately reflect BIS-specific performance as they focus on the time period when BIS has sole control of the licensing process.

FY 2003 & FY 2004 Targets

The target of nine days for “time for referral of export licenses to other agencies” is consistent with Executive Order 12981.

Measure 1b: Median Processing Time for Export Licenses not Referred to Other Agencies (Days)						
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	New	15	15
Actual						
Met/Not Met						

(This measure has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This measure was previously worded as: "Average Processing Time for Export Licenses.")

Explanation of Measure

This is a component of the license applications inventory. This new measure monitors the time it takes to process a license application (that is not referred) from its receipt to a final decision.

FY 2003 & FY 2004 Targets

For “licenses not referred to other agencies,” the target of fifteen days represents the nine days it takes for the front-end review of the license application (which includes the determination as to whether a license application needs to be referred to another agency), plus an additional six days for BIS to make a final license decision.

Measure 1c: Median Processing Time for Issuing Draft Regulations (Months)						
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	New	3	2
Actual						
Met/Not Met						

(This measure has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This measure was previously worded as: "Average Processing Time for Issuing Draft Regulations (Months).")

Explanation of Measure

BIS routinely issues new and amended regulations to effectuate its responsibilities under the EAA. Whether regulations liberalize or restrict industry activity, their prompt promulgation benefits the United States from a trade, economic, and national security perspective. Regulatory changes can, for example, reduce the number of license requirements imposed on U.S. exporters, close loopholes in the regulations, implement international agreements, or address new export control challenges. The majority of BIS regulations issued implement changes agreed to in the four multilateral control regimes in which the United States participates: Wassenaar Arrangement (conventional arms and related sensitive dual-use goods), Nuclear Suppliers Group, Missile Technology Control Regime, and the Australia Group (chemical and biological controls). This measure will track the length of time it takes BIS to issue a draft regulation after a regime resolution to implement a change has been passed.

FY 2003 & FY 2004 Targets

The FY 2003 target for this measure has not changed from the previously published performance target. In FY 2004, BIS will strive to issue draft regulations within two months of a decision made to make regulatory changes. The pending EAA stipulates that draft regulations implementing changes made by the regimes will be issued within two months.

Measure 1b. Level of Exporter Understanding of BIS Export Control Requirements							
		FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	Value of information (average score on scale of 1-5)	New	New	New	Establish baselines	4.2	4.2
Actual	Knowledge gained indicator (scale of 0-4)	New	New	New	Baseline established	1.0	1.0
	Value of information (average score on scale of 1-5)	New	New	New	Establish baselines (4.2)		
	Knowledge gained indicator (scale of 0-4)	New	New	New	Baseline established (1.0)		
Met/Not Met					Met		

Explanation of Measure

This measure indicates the effectiveness of BIS's export control outreach program. BIS's export control outreach program is a means for transferring knowledge from the government to the private sector regarding export control requirements. The BIS outreach program to the domestic and international business communities is a form of preventive enforcement that encourages compliance with the Export Administration Regulations (EAR). Seminars also help to (1) heighten business awareness of the Bush Administration's export control policy objectives, and (2) improve compliance with regulatory requirements.

FY 2003 & FY 2004 Targets

BIS established a baseline for the level of exporter understanding of the EAR using the results of surveys conducted in FY 2002. These survey results will be used to establish future targets to enhance BIS services and to strengthen exporter understanding of BIS export control requirements.

In FY 2002, BIS evaluated the results of seminars conducted during the year and created two metrics that measure the level of exporter understanding of BIS export control requirements. The first metric measures the overall value of information presented on a scale of 1 to 5 by calculating an average of all scores given to a set of questions. The FY 2002 average score was 4.2. We will use this baseline of 4.2 to measure progress in future years. The second metric is an index that reflects the knowledge gained by exporters who attend the seminar. This is done by looking at the scores of respondents' answers to knowledge they had on export control requirements before the seminar and the knowledge gained after the seminar.

Questions are ranked on a scale of 1 - 5 (1 for "not at all" comfortable with the subject matter and 5 for "completely" comfortable with the subject matter). The before and after scores are compared to measure the knowledge gained. The resulting index is on a scale of 0 - 4. For example, an exporter could rate himself a 5 before the seminar and a 5 after the seminar, meaning that he was completely comfortable with the information before and after the program, giving him a difference of 0. Showing improvement in knowledge by a score of 1.0 will be the basis for future targets.

Measure 1e: Number of Industry Assessments

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	New	New	14
Actual						
Met/Not Met						

Explanation of Measure

The Office of Technology Evaluation will be responsible for evaluating the efficiency and effectiveness of U.S. and multilateral export controls by conducting analyses of U.S. and foreign markets, the development of new technologies, and the impact of export controls on industries critical to U.S. national security and the economy as a whole. BIS typically conducts three industrial base assessments per year. In FY 2004, BIS plans to conduct an additional eight of the following assessments to monitor and evaluate technology developments on a comprehensive and systematic basis: (1) foreign availability assessments, (2) mass-market determinations, (3) industrial base assessments, and (4) emergent technologies assessments. BIS also plans to review the effectiveness of one regime member's export control system per year.

FY 2003 & FY 2004 Targets

The FY 2004 performance target of fourteen assessments is based on best estimates of need, capabilities and historical performance. With additional resources, BIS anticipates conducting ten industries assessments, two to three mass-market determinations, and one to two foreign availability studies per year.

Discontinued Measures

Average Processing Time for Commodity Classification Requests (Days)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	New	Discontinued	Discontinued
Actual						
Met/Not Met						

Explanation of Measure

This measure sought to track the average processing time for commodity classification requests. Exporters submit commodity classification requests to BIS to learn the proper classification of their products for export purposes and the limitations that apply to the item they seek to export. BIS decided to not implement this measure in order to focus on a limited number of measures that better represent its overall efficiency.

Program Evaluation

In FY 2002, The General Accounting Office (GAO) and the Office of the Inspector General (OIG) continued their ongoing reviews of BIS's programs and activities. BIS's Office of Planning, Evaluation and Management (OPEM) conducted an annual review of the performance data to ensure that it was complete and accurate. During this process, significant deviations from projected targets, if any, were discussed with the appropriate office so that program changes could be made to help meet BIS performance goals.

Cross-cutting Activities

Intra-Department of Commerce

BIS works with the International Trade Administration's U.S. and Foreign Commercial Service (US&FCS) offices located around the world to coordinate activities associated with planning and conducting export control seminars and with conducting pre- and post-shipment export license reviews.

BIS employs a full-time export administration specialist in the Department of Commerce's Public Information Office in the Reagan International Trade Center, where BIS is one of eight department agencies represented. The specialist operates as an export counselor providing information in response to walk-in or telephone inquiries.

Other Government Agencies

Departments of State, Defense, Energy, Treasury, and Justice and the Central Intelligence Agency (CIA)—BIS works with these executive branch agencies to develop and implement U.S. export control policy and programs, including reviewing license applications, developing encryption policy and high-performance computer control policy, implementing sanctions, and participating in multilateral regimes such as the Wassenaar Arrangement, Missile Technology Control Regime, the Nuclear Suppliers Group, and the Australia Group. BIS also coordinates intelligence and law enforcement operations with these agencies.

Government/Private Sector

Technical Advisory Committee—BIS consults with Committee members who are appointed by the Secretary of Commerce to advise the U.S. government on matters and issues pertinent to implementation of the provisions of the EAA and the EAR, as amended, and related statutes and regulations. These issues relate to U.S. export controls for national security, foreign policy, nonproliferation, and short supply reasons.

External Factors and Mitigation Strategies

Compliance with export control laws may be compromised if exporters are not aware of changes requirements pertaining to them. BIS mitigates this situation by ensuring that exporters have ready access to regulatory and policy changes through seminars, individual counseling, and the Internet.

Performance Goal 2: Ensure U.S. Industry Compliance With the Chemical Weapons Convention (CWC) and, When Approved, Additional Protocol to the International Atomic Energy Agency (IAEA) Safeguards Agreement

(This goal has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This goal was previously worded as “Ensure U.S. Industry Compliance With the Chemical Weapons Convention (CWC).”)

Corresponding Strategic Goal

Strategic Goal 1: Provide the information and the framework to enable the economy to operate efficiently and equitably.

Rationale for Performance Goal

BIS is responsible for ensuring U.S. industries’ compliance with the treaty requirements of the CWC. BIS collects, validates, and aggregates data from U.S. companies that manufacture or use chemicals covered by the convention; educates those companies on their treaty rights and obligations; and serves as the lead U.S. government agency for hosting international inspectors who are inspecting U.S. business facilities subject to convention requirements. BIS’s primary host team role is to ensure that confidential business information is protected during inspections of U.S. firms. In addition, in the event that the U.S. Senate ratifies the IAEA Protocol, BIS similarly will serve as lead U.S. government agency in U.S. industry’s compliance with the Protocol, and will be required to discharge responsibilities similar to those imposed under the CWC.

Measure 2a: Number of Site Assistance Visits Conducted to Assist Companies Prepare for International Inspections

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	12	12	24
Actual				16		
Met/Not Met				Met		

(This measure has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This measure was previously worded as: “Number of Site Assistance Visits Conducted to Assist Companies Prepare for CWC International Inspections.”)

Explanation of Measure

BIS is responsible for overseeing industry compliance with the CWC and under the IAEA Protocol (if enacted). This responsibility includes facilitating domestic visits of international inspection teams to determine compliance with the multilateral treaty obligations by covered U.S. facilities, and informing industry of its obligations under the treaty. Industry site assistance visits prepare covered facilities to receive a team of international inspectors. These visits are to ensure that the inspections run smoothly with no potential loss of proprietary business information. The FY 2002 performance measure, *Number of Site Assistance Visits Conducted to Assist Companies Prepare for CWC International Inspections*, is modified to include additional site assistance visits resulting from the expected implementation of the pending IAEA Protocol.

FY 2003 & FY 2004 Targets

This performance measure was implemented in FY 2002 and retained in FY 2003. The FY 2004 performance target increase is based on the number of expected site assistance visits in FY 2002 and FY 2003, plus the anticipated additional inspections resulting from the implementation of the pending IAEA Protocol.

Program Evaluation

In FY 2002, The General Accounting Office (GAO) and the Office of the Inspector General (OIG) continued their ongoing reviews of BIS's programs and activities. OPEM conducted an annual review of the performance data to ensure that it was complete and accurate. During this process, significant deviations from projected targets, if any, were discussed with the appropriate office so that program changes could be made to help meet BIS performance goals.

Cross-cutting Activities***Other Government Agencies***

Governments of nations that conform to the CWC—BIS has negotiated bilateral and multilateral agreements that demonstrate compliance with the CWC.

Departments of State and Defense—BIS works with these executive branch agencies to develop and implement U.S. policy and programs related to implementation of the CWC, and to effectively coordinate industry site visits so that inspected companies comply with their statutory and regulatory obligations.

In the event that the IAEA Protocol is ratified, BIS will seek to enter into interagency agreements with the Departments of Defense and State to ensure compliance.

Government/Private Sector

American Chemistry Council and the Society of Chemical Manufacturers of America—BIS negotiates controls and policies that conform to the CWC while also protecting the valid concerns and interests of U.S. industry.

External Factors and Mitigation Strategies

BIS conducts both informational seminars and outreach visits that help companies prepare for CWC inspections. The Organization for the Prohibition of Chemical Weapons (OPCW) establishes the number of CWC inspections based on (1) a mandated minimum number and (2) risk assessments that the OPCW performs. The second factor is outside BIS's control. If the number of inspections increases, the ability of BIS to assist companies in preparing for these inspections could be limited due to budget constraints. BIS mitigates these potential problems by working closely with the OPCW to anticipate inspection requirements and properly address them in the budget planning process.

Performance Goal 3: Detect Illegal Export Transactions and Penalize Violators

Corresponding Strategic Goal

Strategic Goal 1: Provide the information and the framework to enable the economy to operate efficiently and equitably.

Rationale for Performance Goal

To be effective, export controls must be enforced and violators punished. BIS enforces dual-use export controls for reasons of national security, foreign policy, nonproliferation, anti-terrorism, and short supply. The Bureau also enforces the antiboycott provisions of the EAR, the Chemical Weapons Convention Implementation Act (CWCIA), and the Fastener Quality Act. BIS special agents investigate potential violations of these laws, and build and present cases for criminal or administrative prosecution.

BIS enforcement personnel also conduct outreach and education programs to train U.S. exporters to identify and avoid illegal transactions. A key element of BIS's preventive enforcement program is the onsite visits made to both current and potential foreign end-users of sensitive technology. In addition, BIS works with its foreign counterpart agencies to encourage other governments to implement enforcement measures to complement the Bureau's export enforcement efforts.

Measure 3a: Number of Cases Opened That Result in the Prevention of a Criminal Violation or the Prosecution of a Criminal or Administrative Case

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	73	80	70	75	85	85
Actual	68	93	81	82		
Met/Not Met	Not Met	Met	Met	Met		

(This measure has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This measure was previously worded as: "Number of Investigations Accepted for Administrative or Criminal Remedies.")

Explanation of Measure

This change to the performance measure is designed to emphasize a results-oriented approach to export enforcement—focusing on violations prevented or prosecuted, rather than simply investigations accepted. It will enable BIS to recapture such preventive enforcement information as the interdiction of suspicious shipments, denials on visa requests, and exposure to sensitive technology by foreign nationals. Violations may be prevented through the interdiction of commodities, and through educational and outreach efforts that would otherwise result in unintentional violations of export control laws. The implementation of this measure will allow BIS to gauge its overall effectiveness in terms of prosecutions and preventive enforcement.

FY 2003 & FY 2004 Targets

The target of eighty-five cases opened for fiscal years 2003 and 2004 represents the projected number of violations prevented or prosecuted (seventy-five), plus an additional ten cases resulting from leads obtained through outreach visits.

Measure 3b: Number of Post-Shipment Verifications Completed						
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	300	300	500
Actual				415		
Met/Not Met				Met		

Explanation of Measure

BIS enforcement agents and US&FCS officers conduct post-shipment verifications (PSVs) to ensure that exported items are used in accordance with the terms of the export license. PSVs are conducted to ensure that the products are being used by the authorized end-users as approved. A significant number of PSVs are conducted on high-performance computers as mandated by the National Defense Authorization Act of 1998.

FY 2003 & FY 2004 Targets

In FY 2003 BIS anticipates the trend in increased PSVs to continue. Accordingly, BIS is increasing the target from 300 to 375 PSVs completed. By FY 2004, BIS anticipates having export control attachés posted in each of the following locations: Beijing, Shanghai, Moscow, UAE, Cairo, Singapore, and New Delhi. With the exception of attaches in China (Beijing and Shanghai), where BIS has encountered resistance to requests for scheduling PSVs, BIS estimates that each of the other attachés will complete forty PSVs in FY 2004. Accordingly, for FY 2004, BIS is increasing the target to 500 PSVs completed to include these PSVs.

The following performance measure is being added in FY 2004 to reflect BIS's focus on speedy prosecution of violations:

Measure 3c. Length of Time, Once a Licensing Determination is Obtained, for Case Presentation to an Assistant United States Attorney (Days)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	New	New	90
Actual						
Met/Not Met						

Explanation of Measure

With the growth of exports and new exporters entering the market, and the resulting increase in open cases, BIS wants to track the speed with which cases opened are presented for prosecution. BIS estimates that, for FY 2004, it will take ninety days to present a case for criminal prosecution from the date a determination is made on whether the export in question required a license.

FY 2003 & FY 2004 Targets

The FY 2004 target of ninety days represents BIS’s best estimate of the length of time it should take once an agent receives a license determination to review the preliminary evidence gathered in an investigation, and assess its sufficiency in light of the legal and regulatory requirements for criminal case presentation. As BIS implements its new automated case management system, it will be mindful of the ninety-day target as it brings its cases to successful completion.

Program Evaluation

In FY 2002, The General Accounting Office (GAO) and the Office of the Inspector General (OIG) continued their ongoing reviews of BIS’s programs and activities. Specifically, the OIG conducted a review of Export Enforcement that was not complete at the end of FY 2002. OPEM conducted an annual review of the performance data to ensure that it was complete and accurate. During this process, significant deviations from projected targets, if any, were discussed with the appropriate office so that program changes could be made to help meet BIS performance goals.

Discontinued Measures

Timely Recommendations Made on License Applications by Enforcement Analysts (Days)						
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	6	Discontinued	Discontinued
Actual				6		
Met/Not Met				Met		

Explanation of Measure

The Office of Enforcement Analysis (OEA) screens all export license applications to detect potential illegal exports, employing a process that includes screening exports of license applications against several databases. Although OEA will continue to perform this function, this performance measure will be discontinued in FY 2003 to enable BIS to focus on a limited number of measures that better represent its work and priorities in the enforcement area.

Cross-cutting Activities

Intra-Department of Commerce

BIS works with the Office of Chief Counsel for Industry and Security (OCC/IS) on administrative cases developed by BIS's enforcement offices.

BIS works with the Census Bureau on seminars and data sharing, including Shipper's Export Declarations (SED). BIS is also working with the Census Bureau on the Automated Export System, a joint venture with other U.S. government agencies that seeks to implement electronic submission of SED data by the exporter.

BIS works with the International Trade Administration (ITA) for the conduct of PSVs.

Other Government Agencies

Departments of Justice (DOJ) and State, U.S. Customs Service, Federal Bureau of Investigation (FBI), U.S. Postal Service, and the intelligence community—BIS works with these agencies on law enforcement matters, including development of leads, intelligence coordination, implementation of export control policy, and coordination of export license and fastener quality investigations. BIS field offices participate in interagency working groups with the FBI and the U.S. Postal Service, and share data with the U.S. Customs Service via the Treasury Enforcement Computer System.

External Factors and Mitigation Strategies

Priorities and resources of DOJ and OCC/IS directly influence the achievement of this goal. BIS mitigates this situation by targeting investigations effectively, conducting them in a professional manner, and presenting them persuasively to prosecutors.

BIS may also have to rely on other agencies to conduct certain investigative activities. BIS mitigates this by maintaining regular communication with those agencies. BIS also diligently seeks opportunities to work cases jointly with other law enforcement agencies.

The increasing volume and complexity of international commerce directly increases the difficulty of applying and enforcing export controls and, consequently, the difficulty of preventing proliferation. BIS mitigates this situation by conducting visits overseas to educate foreign consignees about U.S. export laws and by sharing information with foreign export control officials. BIS attempts to focus investigative resources on areas that pose the greatest risk to national security.

Performance Goal 4: Assist Key Nations to Establish Effective Export Control Programs

Corresponding Strategic Goal

Strategic Goal 1: Provide the information and the framework to enable the economy to operate efficiently and equitably.

Rationale for Performance Goal

Strong enforcement of U.S. export regulations is critical to protect U.S. security interests. However, U.S. national interests can also be jeopardized if sensitive materials and technologies from other nations reach countries of concern or terrorists. For this reason, BIS's strategy includes promoting the establishment of effective export control systems by other nations. BIS has been assisting the countries of the former Soviet Union and the former Warsaw Pact nations of Central Europe to strengthen their export control and enforcement regimes. BIS is also now extending technical assistance to other countries considered export or transit proliferation risks.

Through a series of bilateral and regional cooperative activities co-sponsored with the State Department, BIS helps the nations with which it works to (1) develop the procedures and requirements necessary to regulate the transfer of sensitive goods and technologies, (2) enforce compliance with these procedures and requirements, and (3) promote the industry-government partnerships necessary for an effective export control system to meet international standards.

Measure 4a: Number of Targeted Deficiencies Remedied in the Export Control Systems of Program Nations

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	20	25	25
Actual				25		
Met/Not Met				Met		

(This measure has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This measure was previously worded as: "Number of Targeted Deficiencies Remedied in the Export Control Systems of Key Nations.")

Explanation of Measure

This performance measure is intended to measure the achievement of BIS's international cooperation program in remedying deficiencies in the export control systems of key nations. The BIS program aims to enhance the export and transit control systems of nations that lack effective control arrangements. Each targeted deficiency represents a specific facet of an export or transit control system that BIS seeks to strengthen through its cooperative activities in participating countries. BIS's Model Country Program has identified fifty-six possible targeted deficiencies and matching remedial activities that are used to assess each country's export control program. Each targeted deficiency remedied shows how BIS can document the influence of its extensive bilateral and regional cooperative activities.

FY 2003 & FY 2004 Targets

BIS bases and establishes future targets on the pace and timing of activities and the availability of resources to conduct the exchanges that produce outcomes. Because they require action on the part of sovereign governments, outcomes from BIS activities are often not immediately achieved. As a result, for many outcomes, there is an inherent time delay of as much as six months to two years between the performance of an export control technical exchange that addresses a specific desired outcome and BIS's ability to obtain confirming evidence that the outcome has been achieved. BIS's estimates of future targets are based on historical experience related to the number of outcomes that have been addressed by past technical exchanges, but that have not yet been confirmed with evidence, and the number of new outcomes that will be addressed by technical exchanges during the current fiscal year.

Program Evaluation

OPEM conducted an annual review of the performance data to ensure that it was complete and accurate. During this process, significant deviations from projected targets, if any, were discussed with the appropriate office so that program changes could be made to help meet BIS performance goals.

In addition, two audits were conducted by Department of State independent contractors on BIS's National Economic Council program during FY 2002, including (1) a programmatic audit conducted by Los Alamos Technical Associates; and (2) a financial audit conducted by Leonard G. Birnbaum & Company.

Discontinued Measures

Number of Nonproliferation and Export Control International Cooperative Exchange Activities Conducted						
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	42	30	37	44	Discontinued	Discontinued
Actual	45	39	43	53		
Met/Not Met	Met	Met	Met	Met		

Explanation of Measure

This measure includes technical exchanges, executive exchanges, symposiums, workshops, training courses, system capability assessment visits, and other multilateral and bilateral activities in which BIS has the lead or a significant role. This performance measure is being discontinued beginning in FY 2003, in order to focus on measure 4a, which tracks the outcomes of these activities. The new measure—focused on deficiencies remedied, rather than simply conferences held—reflects a results-oriented approach to management of this program.

Cross-cutting Activities

Intra-Department of Commerce

The ITA and OCC/IS make invaluable contributions of their expertise, knowledge, and abilities to BIS's program that assists key nations in establishing strong, effective export controls.

Other Government Agencies

U.S. Customs Service and the CIA's Weapons Intelligence, Nonproliferation, and Arms Control Center—BIS coordinates with these agencies regarding export control cooperation technical exchanges and activities with other nations.

Departments of State, Defense, Energy and Justice; U.S. Customs Service, and the FBI—BIS works with these agencies to coordinate assessments of the international export control system and to prioritize, design, and fund programs in which interagency resources are focused on specific national and regional issues.

External Factors and Mitigation Strategies

BIS must continue to rely on other agencies to fund the technical exchange and other activities relating to international export control cooperation. The process of obtaining this funding while satisfying detailed donor agency requirements is extremely cumbersome and fraught with uncertainty and delay, making some inefficiencies unavoidable. BIS attempts to mitigate this by pursuing multiple proposals with multiple potential donor agencies.

Two factors that drive the scheduling of technical exchange activities are (1) the interagency coordination process that enables agency experts to participate in the exchanges, and (2) the priorities of the countries involved. BIS mitigates these factors by conducting close and frequent consultations with pertinent U.S. agencies and client nation officials.

Unforeseeable shifts in U.S. policy (for example, suspension of activity with a particular country) or in the policies of client nations occasionally may preclude execution of funded, scheduled events or participation of certain national invitees. BIS mitigates these situations by designing fewer events that appeal to a broader range of potential participants. BIS is also proactive in working with service providers to minimize cancellation costs.

Discontinued Goal

Performance Goal 5: Coordinate Activities for Homeland Security, the Protection of Critical Infrastructures, and to Assure that the Federal Government Continues to Be Able to Deliver Services Essential to the Nation's Security, Economy, and the Health and Safety of its Citizens

(This goal has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This goal was previously worded as: "Coordinate Activities for the Protection of Critical Infrastructures, and to Assure that the Federal Government Continues to Be Able to Deliver Services Essential to the Nation's Security, Economy, and the Health and Safety of its Citizens.")

On November 25, 2002, the President signed the Homeland Security Bill into law. The new law creates the Department of Homeland Security, to which the Critical Infrastructure Assurance Office (CIAO) will be transferred. As a result of this transfer, starting in FY 2004, this goal and its associated measures will no longer be part of BIS.

Corresponding Strategic Goal

Strategic Goal 1: Provide the information and the framework to enable the economy to operate efficiently and equitably.

Rationale for Performance Goal

CIAO is responsible for (1) promoting national outreach, education, and awareness; (2) assisting federal agencies to analyze their own risk exposure and critical infrastructure dependencies; (3) coordinating and facilitating the integration of strategies for critical infrastructure assurance into the national strategies for homeland security and cyberspace security; and (4) developing initiatives to promote coordinated use of information technology for homeland security purposes.

Timely Recommendations Made on License Applications by Enforcement Analysts (Days)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	44	17	Discontinued
Actual	New	New	New	49		
Met/Not Met				Met		

Explanation of Measure

These conferences and seminars target two specific groups of stakeholders: (1) private and public (state and local government) owners and operators of critical infrastructures, and (2) professional risk managers, such as the auditing community.

FY 2003 & FY 2004 Targets

The FY 2003 target was refined to accurately reflect the actual conferences and seminars held by the CIAO. When CIAO is transferred to the Department of Homeland Security, this measure will no longer be part of BIS.

Measure 5b: Progress Toward Completion of the Three-Step Project Matrix Process						
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	12	26	Discontinued
Actual	New	New	New	5		
Met/Not Met	Not Met					

(This measure has been reworded since the publication of the FY 2001 Annual Program Performance Report and FY 2003 Annual Performance Plan. This measure was previously worded as: "Number of Large, Civilian Federal Departments and Agencies Working Toward Completion of the Three-Step Project Matrix Process.")

Explanation of Measure

Project Matrix involves a three-step process in which each civilian federal department and agency identifies its critical assets (Step 1); other federal government assets, systems, and networks on which those critical assets depend to operate (Step 2); and all associated dependencies on privately owned and operated critical infrastructures (Step 3). Because of constant changes in the agencies' infrastructures, a continuing information "refreshment" process is needed to keep the Matrix database accurate and reliable.

FY 2003 & FY 2004 Targets

When CIAO is transferred to the Department of Homeland Security, this measure will no longer be part of BIS.

Program Evaluation

In FY 2002, The General Accounting Office (GAO) and the Office of the Inspector General (OIG) continued their ongoing reviews of BIS's programs and activities. OPEM conducted an annual review of the performance data to ensure that it was complete and accurate. During this process, significant deviations from projected targets, if any, were discussed with the appropriate office so that program changes could be made to help meet BIS performance goals.

Discontinued Measure

Completion of an Integrated National Strategy for Securing the Nation's Critical Infrastructures						
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Target	New	New	New	First version completed	Discontinued	Discontinued
Actual				Discontinued ¹		
Met/Not Met	N/A					

¹*This measure was discontinued in FY 2002. Per Executive Order, 13228, the Office of Homeland Security "shall work with executive departments and agencies, State and local governments, and private entities to ensure the adequacy of the national strategy for detecting, preparing for, preventing, protecting against, responding to, and shall periodically review and coordinate revisions to that strategy as necessary."*

Explanation of Measure

This measure tracks the development and publication of a government-private sector national strategy for securing the U.S.'s critical infrastructures.

BIS Data Validation and Verification

BIS'S Office of Planning, Evaluation and Management (OPEM) conducts an annual review of the performance data to ensure that it is complete and accurate. During this process, significant deviations from projected targets, if any, are discussed with the appropriate office so that program changes can be made to help meet BIS performance goals.

The actual validation process is conducted following similar audit principles including sampling and verification of data. Case information is regularly downloaded from the management information systems and imported into databases and spreadsheets for analysis. In some cases, information is manually checked against actual paper files (when available) to ensure the accuracy of information in the management information systems. Additionally, documentation is reviewed and a determination is made on its adequacy and sufficiency to support claims that outcomes and outputs have been achieved. The BIS Data Validation and Verification table can be found starting on the following page.

BIS Data Validation and Verification

Performance Measure	Data Source	Frequency	Data Storage	Verification	Data Limitations	Actions to be Taken
Measure 1a: Median processing time for referral of export licenses to other agencies (days)	ECASS	Semi-annual	ECASS	BIS's OPEM will perform two types of checks to ensure data are entered where they should be (system integrity) and to ensure that the data are accurate and valid.	None	None
Measure 1b: Median processing time for export licenses not referred to other agencies (days)	ECASS	Semi-annual	ECASS	BIS's OPEM will perform two types of checks to ensure data are entered where they should be (system integrity) and to ensure that the data are accurate and valid.	None	None
Measure 1c: Median processing time for issuing draft regulations (months)	Paper records such as official publications and draft regulations.	Semi-annual	Office files	BIS's OPEM will validate the performance measure against supporting documentation.	None	None
Measure 1d: Level of exporter understanding of BIS export control requirements	Survey	Semi-annual	Survey results database	BIS's OPEM will validate the performance measure against supporting documentation.	Data is dependent on the voluntary responses of seminar participants and is based on respondent opinion. Opinion may or may not be a factual indicator of performance.	None
Measure 1e: Number of industry assessments	Paper records.	Semi-annual	Office files	BIS's OPEM will validate the performance measure against supporting documentation.	None	None
Measure 2a: Number of site assistance visits conducted to assist companies prepare for international inspections	Paper records such as trip reports.	Semi-annual	Office files	BIS's OPEM will validate the performance measure against supporting documentation.	None	None
Measure 3a: Number of cases opened that result in the prevention of a criminal violation or the prosecution of a criminal or administrative case	ECASS and paper records.	Semi-annual	ECASS and paper records.	BIS's OPEM will perform two types of checks to ensure data are entered where they should be (system integrity) and to ensure that the data are accurate and valid.	None	None

BIS Data Validation and Verification (cont.)

Performance Measure	Data Source	Frequency	Data Storage	Verification	Data Limitations	Actions to be Taken
Measure 3b: Number of post-shipment verifications completed	ECASS and Access database.	Semi-annual	ECASS and Access database.	BIS's OPEM will perform two types of checks to ensure data are entered where they should be (system integrity) and to ensure that the data are accurate and valid.	None	None
Measure 3c: Length of time, once a licensing determination is obtained, for case presentation to an assistant United States attorney (days)	ECASS	Semi-annual	ECASS	BIS's OPEM will perform two types of checks to ensure data are entered where they should be (system integrity) and to ensure that the data are accurate and valid.	None	None
Measure 4a: Number of targeted deficiencies remedied in the export control systems of program nations	Paper records such as official publications and academic/intelligence community analyses.	Semi-annual	Electronic or office files.	BIS's OPEM will validate the performance measure against supporting documentation.	None	None
Measure 5a: Number of outreach conferences or seminars	Paper records such as agendas.	Semi-annual	Office files	BIS's OPEM will validate the performance measure against supporting documentation.	None	None
Measure 5b: Progress toward completion of the three-step project matrix process	Paper records	Semi-annual	Office files	BIS's OPEM will validate the performance measure against supporting documentation.	None	None

