

Webinar Questions and Answers

Counter Proliferation

Webinar guests submitted several questions before and during the **24 September 2015, Counter Proliferation Webinar** session. The following responses are provided by the Center for Development of Security Excellence (CDSE):

Question: Who should I report my tips or Suspicious Contact Reports to? DSS, HSI, FBI or OEE?

Answer: Because HSI has the broadest authorities, I recommend that you report to HSI. We enforce all the export control regulations. You should first determine whether it is Export Administration Regulation (EAR) violation or International Traffic and Arms Regulation (ITAR) violation. Sometimes those contact reports go to both HSI and DSS. I'm a big advocate of simultaneously reporting these things to both agencies but I'm also selfish towards my agency. From a practical standpoint because of our broader enforcement authority we're the best agency to report to. Because of the NISPOM, you should always cc DSS when you report anything to FBI or HSI.

Suspicious contact reporting is important for industry to report attempts to acquire export controlled technology. I want to emphasize the point reference dual reporting. When you see these red flag indicators, it is best if you report to all those at the same time. Put everybody on the same cc. If you report something to DSS and we have only got a handful of agents, by the time that agent might actually read that email and get it out to the investigating agency, the bad guys are smart enough to figure out that we have a problem there. That dual reporting does help expedite actions.

When you look at the NISPOM 1-302 B, it requires reporting of suspicious contacts. NISPOM 1-302, to include suspected insider threat indicators and the upcoming change to the NISPOM, will further explain those reportable activities so we hope to see that change by the end of this calendar year. NISPOM 1-301 requires industry to report possible or probable espionage incidents directly to the FBI. That is when it is definitely dealing with classified information; you must report directly to the FBI but again, cc the cognizant security authority, which in this case is DSS. For non-industry folks (those DoD and others) we are talking 811. That is an espionage case so Section 811 of the Intelligence Reform Act spells out the reporting of espionage requirements to the military or FBI.

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Question: What is the difference between U.S. Immigration & Customs Enforcement (ICE) and Homeland Security Investigations (HSI)? Are there different roles & authorities for each agency?

Answer: I talked about this initially in the presentation but ICE is my parent organization. We have enforcement and removal operations, which deals with the deportation of high interest criminal aliens. We have HSI that deals with all the legacy customs and immigration investigative matters. I am an ICE agent and HSI because ICE is my parent but I work for a division called Homeland Security Investigation.

Question: How many arrests and convictions has HSI made in FY 2014?

Answer: About 500 arrests and we've had about 400 convictions. We probably executed about another 390 indictments and 1,150 seizures.

Question: Does Foreign Military Sales (FMS) belong to State Department or Homeland Security?

Answer: From a licensing perspective, it would belong to the Department of State. From an enforcement perspective it would belong to HSI. We would enforce any kind of violation involving foreign military sales.

Question: Over the past few years, what are some of the hottest technologies sought after from foreign countries?

Answer: A lot of technology involving uranium enrichment such as pressure transducers for example. Certain types of graphite that can be used to make centrifuges. Any kind of technology involving naval systems, naval propulsion type systems for submarines, or surface ships. Communications gear involving command and control. Radiation hardened microchips. Any kind of a radiation hardened micro-chips are being sought after by our adversaries. I think that would be it in a nutshell.

Question: How can DSS Industrial Security Reps assist HSI with Shield America Efforts?

Answer: Typically, I would hope that the 25 different offices Project Shield America coordinates would have reached out to their local DSS counterparts. When we are dealing with clear defense contractors, we try to partner with DSS when we go out and do Shield America as we work well together but it's all about relationships. I would recommend that DSS security representatives either contact me and I can provide him with that coordinator in this area but it is

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about relationships and we need to connect you guys together.

Question: Can you please email me the guest speakers contact information after the presentation?

Answer: The best way to reach me is by email. My email address is Christopher.Tafe@dhs.gov.

Question: What is the proper way to submit the information of suspicious acts to HSI?

Answer: If you have information regarding international terrorism, violations of U.S. export laws, or economic sanctions and embargoes, please call 1-866-DHS-2-ICE (1-866-347-2423; TTY for hearing impaired: 802-872-6196).

Question: How do you schedule a Project Shield America briefing?

Answer: The best way to schedule a Project Shield America briefing is to contact me by e-mail at Christopher.Tafe@dhs.gov and I'll put you in touch with your local Project Shield America coordinator.