

Top 10 Tasks to Prepare for Export Agency Site Visit

Many exporters are at least vaguely familiar with the “company visits” or “outreach visits” conducted by the export control agencies,¹ but most have very little idea what these visits actually entail, how a company is selected for a visit, or the potential consequences of such a visit. Exporters, freight forwarders, non-exporting manufacturers of defense articles, and companies that share controlled technology with foreign persons, resulting in “deemed exports” should thoroughly prepare for these visits if they are ever selected by the agencies. This checklist aims to serve as a reference tool to prepare for such a visit and document it. It does not constitute legal advice and you should consult with legal counsel to ascertain the specifics of your situation and potential legal risks.

- Request officer/agent’s agenda and timeframe. Have a clear understanding of what the visit will entail.
- Carefully select who will represent the company in the meeting with the officer/agent. Ensure company representatives are well versed in the regulations as well as company protocols associated with those regulations.
- Engage senior leadership. It is important to show that compliance with regulations is taken seriously and flows from the top and throughout your organization.
- Strategically select the meeting location. In most cases, it is best to avoid warehouse and manufacturing areas. Select an area where outside distractions and interruptions will be limited.
- Be prepared to “show and tell” the story of your business; history, structure, products, markets, process and procedures, human resources, training, recordkeeping, etc. Point out your strengths and have prepared responses in case you are asked challenging questions regarding the company and areas needing improvement.
- Prepare company facilities for potential walkthrough. Try to anticipate the areas the officer/agent will be focusing on during the visit.
- Review company records and run reports of the data that will be examined during the visit. Pre-screen for errors or items that may need further clarification for the officer/agent.
- Review internal procedures that directly relate to the regulatory requirements of the agency visiting. Make sure procedures are accurate, up to date with current regulations, and published to the affected stakeholders.

¹ This checklist is intended to apply to agency visits by the U.S. Department of State Directorate of Defense Trade Controls and U.S. Department of Commerce Bureau of Industry and Security Officer of Export Enforcement.

- Prepare a plan to handle documentation requests. Do not be afraid to request time to submit documentation and explain you will transmit the documentation through your legal counsel.

- Designate someone to take notes during the meeting. Maintain lists of items you are given by the officer/agent and what you provide to them. Plan to debrief with leadership and key personnel after the visit and discuss implementing any necessary post-visit corrective measures. See Torres Law ***Government Visit Summary & Tracking Sheet*** companion tool available in the Mondaq Advice Centre.

Torres Law goes in-depth on the subject of export control agency visits in a two-part series discussing the types of agency visits, potential outcomes and consequences, as well as our recommendations on preparation for a visit. See the full series here: [Torres Law Insights-Whatcha Gonna Do When They Come For You? Part I](#), and [Part II](#).