9th Forum on
U.S. Export & Reexport Compliance
FOR CANADIAN OPERATIONS

January 28 - 29, 2020 | Toronto Airport Marriott Hotel | Toronto, ON

Hear from Senior Government Speakers:

Katie Arrington
Special Assistant to the Assistant Secretary of Defense for Acquisition ASD(A) for Cyber
US Department of Defense

Rob Hart
Chief, Regulatory and Multilateral Affairs Division
US Department of State

Tim Mooney
Senior Policy Analyst, Regulatory Policy Division
Bureau of Industry & Security
Department of Commerce

Shalini Anand
Director
Export Controls Operations Division
Global Affairs Canada

Vanessa Lloyd
Manager, Strategic Initiatives
Controlled Goods Directorate
Public Services and Procurement Canada

WHAT’S NEW FOR 2020:

› Hear How to Implement the Latest Changes to Canadian Export Control Rules
› Get Ready for the U.S. DoD’s New Cybersecurity Maturity Model Certification (CMMC) Program
› Discuss How Best to Monitor Transactions in your Supply Chain
› Find Out about the U.S. Regulatory and Enforcement Landscape
› Navigate the Latest Sanctions Restrictions on Russia, Iran and Cuba and the Blocking Statutes
› Reconcile the ITAR and EAR Considerations with Canadian Human Rights Laws and Privacy Laws
› Manage the Intersections between International Trade and National Security

Get Practical Insights from Senior U.S. and Canadian Companies:

› ATS Automation Tooling Systems
› BlackBerry
› Brookfield Asset Management
› C Series Aircraft Limited Partnership - Airbus Bombardier
› CAE
› Cesaroni Technology
› Exertis
› FLIR Systems
› Pratt & Whitney Canada
› Raytheon
› SAP
› Siemens Canada
› Top Aces
› Collings Aerospace

Plus! Don’t miss the Pre-Conference Workshops on January 27th:

A | Deep Dive into Canada and U.S. Export Control Updates: Focus on Recent Regulation Changes and the Essential Elements of an Effective Compliance Program

B | Technology Transfers: How to Manage Intangible Export Compliance Risks for Cloud Computing, Encryption, Email Usage and Foreign National Employment

Register Now | AmericanConference.com/ExportCanada | 888 224 2480

Widely regarded as the leading resource for Canadian export compliance teams, this conference will allow you to hear from and network with senior government officials from both Canada and the U.S., as well as industry professionals from the high technology, space, defense, aerospace, satellite industries.

Building on 8 years of success, both U.S. and Canadian expert speakers will address the most critical, pressing U.S. and Canadian challenges affecting industry with operations in Canada.

Top 5 Reasons to Attend:
1. Hear from Canadian and U.S. government decision-makers, and ask your own questions
2. Learn the latest developments on Canada and U.S. export controls
3. Network and benchmark with 30+ industry speakers
4. Discuss the most critical trade compliance issues tailored for Canadian organizations
5. Participate in the longest running U.S. export and reexport conference in Canada

Register today to reserve your spot because this conference will sell out. Bring your entire team and please ask about our generous group discount.

Who Will You Meet?
- VPs, Directors, Managers and Specialists of:
  - Export Controls or Compliance
  - Trade Compliance
  - International Trade Compliance
  - Export Licensing
  - Controlled Goods
  - Classification
  - Supply Chain Management
  - Logistics
  - Procurement
  - Customs and Traffic
  - Cloud & Technology Transfer Security Control
- Corporate Counsel Specializing in:
  - Legal Affairs and Operations
  - International Trade Counsel
  - Export Compliance
- Outside Counsel Specializing in:
  - International Trade Law
  - Economic Sanctions
  - Export Controls
  - Procurement/Government Contracts
  - CFIUS

Continuing Legal Education Credits

Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board.

ACI certifies that this activity has been approved for CLE credit by the State Bar of California.

You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

Questions about CLE credits for your state? Visit our online CLE Help Center at www.americanconference.com/CLE

Associate Sponsors:

Message from Co-Chairs:

"CI/ACI’s U.S. Export & Reexport Compliance for Canadian Operations is a “can’t miss” event for Canadian export control and compliance managers. It is the only conference that consistently brings together senior U.S. and Canadian export control officials in an informal setting to discuss current issues.

The past twelve months have seen numerous regulatory changes, including Canada’s becoming a State Party to the UN Arms Trade Treaty, U.S. restrictions on Huawei and other Chinese entities, and U.S. DoD’s announcement of its Cybersecurity Maturity Model Certification (CMMC) program requiring Canadian companies to have their cybersecurity programs audited if they want further U.S. DoD contracts or subcontracts. A “Defrag” of the ITAR is also in the works.

The conference is always a great networking event because it draws export control, cybersecurity, and compliance personnel from all over Canada. If your company is engaged in aerospace or defence trade with the United States, you should attend! "

Gary Stanley
President
Global Legal Services

Ken Purchase
Director,
International Trade Compliance
Pratt & Whitney Canada Corp

Questions about CLE credits for your state? Visit our online CLE Help Center at www.americanconference.com/CLE

Join the Conversation @ACL_IntTrade #ExportCanada | ACI: International Trade Group
Pre-Conference Workshops | Monday, January 27, 2020

**Workshop A**
9:00 - 12:30 (Registration at 8:30)

*Deep Dive into Canada and U.S. Export Control Updates: Focus on Recent Regulation Changes and the Essential Elements of an Effective Compliance Program*

Kate Seaman  
Director, Security and Trade Compliance  
Top Aces (Dorval, QC)

Greg Kanargelidis  
Partner  
Blake, Cassels & Graydon LLP  
(Toronto ON)

Joseph Gustavus  
Senior Principal  
Miller Canfield (Troy, MI)

Back by popular demand, this session will provide an in-depth analysis of the complex challenges that the interaction between Canadian and U.S. export and reexport control regimes presents. Designed to serve as both a refresher for experienced export compliance officers and an introduction to those new to the space, this workshop will offer a solid foundation for the discussions due to take place in the main conference. Learn the fundamentals of incorporating both Canadian export and U.S. export/reexport control requirements into your business operations, as well managing the common pitfalls of a multi-jurisdictional trade compliance program.

Topics will include:
- Understanding classification differences between the EAR, ITAR, and the Canadian ECL and building a classification-based compliance system
- How to calculate and document de minimis values under the EAR and track items in your supply chain and product base to take full advantage of that provision
- Managing disparate treatment of dual and third-country nationals and technology transfers under the ECL, ITAR and EAR
- Leveraging your Controlled Goods Program registration or facility security clearance to take advantage of ITAR §126.18 exemptions and EAR § 734.20 carve-outs
- Coordinating cross-border voluntary disclosures
- How to approach U.S. vs. Canadian government agencies
- Explore creative solutions to compliance challenges in the context of real-life scenarios
- How to handle hacking, and learn what the obligations are for Canadian and U.S. cybersecurity requirements

**Workshop B**
1:30 - 5:00 (Registration at 1:00)

*Technology Transfers: How to Manage Intangible Export Compliance Risks for Cloud Computing, Encryption, Email Usage and Foreign National Employment*

Marie-Helene Tardif  
Senior Manager, Export Controls  
Siemens Canada Ltd  
(Dorval, QC)

Dan Fisher-Owens  
Partner  
Berliner & Rowe LLP  
(San Francisco, CA)

Policing access to unclassified controlled information by employees, suppliers, and customers and guarding against cyber incidents requires constant vigilance and attention to rapidly evolving governmental requirements. This timely workshop will guide you through a gamut of regulatory updates affecting data transfers by BIS, DDTC, and Global Affairs Canada and how to incorporate them into your export and reexport operations. The workshop will be an essential guideline for technology classification, storage, cloud computing, record keeping, tracking, monitoring, and employee control.

- Who is responsible for knowing and communicating the export jurisdiction/classification of the data?
- What are the different requirements if the data are ITAR or EAR controlled?
- How are the trade compliance requirements maintained among the different players?
- Who has responsibility for identifying, correcting, and reporting a data transfer compliance issue if it arises?
- How is reporting of the problem carried out (both to the USG and to others, including customers/vendors, etc.)?
- What corrective steps would help prevent a recurrence of the problem?
- What should be stored in the cloud?
- What are your due diligence responsibilities as an exporter or user of the cloud?
- Encryption and cryptocurrency updates
- What responsibilities do cloud service providers have?
- What are the best practices for advising a global workforce on rules in different jurisdictions?
- Public technology presentations and sharing pitfalls

**Continuing Professional Development Credits**

This program can be applied towards 12.75 hours of annual Continuing Professional Development (CPD) required by the Law Society of Upper Canada. Members will also receive 5 additional CPD credit hours for the attendance at the workshops.

This program has been approved by the Law Society of Saskatchewan for 12.75 CPD hours for the conference. Members will also receive 3.5 additional CPD credit hours for the attendance at the workshops.

The same number of hours may be applied toward your continuing legal education requirements in British Columbia.

The Barreau du Quebec automatically recognizes the same number of hours for this training activity, the latter having been accredited by another Law Society subject to MCLE.

Attendance at this program by members of the Law Society of Alberta may be submitted to the Law Society for Continuing Professional Development credits.

**Continuing Professional Education Credits**

American Conference Institute (ACI) will apply for Continuing Professional Education credits for all conference attendees who request credit. There are no pre-requisites and advance preparation is not required to attend this conference.


Please refer to the information in this brochure for outline, course content and objectives. Final approval of a course for CPE credits belongs with each state’s regulatory board. Recommended CPE Credit: 10.50 (2.0 Audit) hours for the main conference and an additional 4.0 hours for each workshop.

ACI is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417 or by visiting the web site: www.learningmarket.org.

To request credit, please check the appropriate box on the Registration form.
Conference Day One  
Tuesday, January 28, 2020

8:30 Registration & Coffee

9:00 Co-Chairs’ Opening Remarks
Ken Purchase  
Director, International Trade Compliance  
Pratt & Whitney Canada Corp
Gary Stanley  
President  
Global Legal Services, PC

9:15 Understanding the Latest Changes to Canadian Export Controls: Developments and Trends for 2020 and Beyond
Shalini Anand  
Director, Export Controls Operations Division  
Global Affairs Canada
Vanessa Lloyd  
Manager, Strategic Initiatives Controlled Goods Directorate  
Public Services and Procurement Canada

• New brokerage rules and other Bill C-47 developments
• Update on Canadian Controlled Goods Program
• Changes in Canada’s Export Control List
• How to control the risks involving nuclear project, military goods, and dual-use items
• Data protection regulatory updates
• Export permit requirements, process, and minimizing denial due to Ministerial Rule of Discretion
• Canada’s 2020 implementation of a mandatory electronic reporting system for export control
• Best way to approach and communicate with the government agencies
• An opportunity to pose questions directly to government agencies

10:15 Networking Break

10:30 In-House Executive Roundtable: What Keeps You Up at Night?
Maria Kounadis  
Export Control Manager, Americas  
CAE (St-Laurent, QC)
Kenneth Purchase  
Director – International Trade Compliance  
Pratt & Whitney Canada Inc. (Longueuil, QC)

Senior in-house leaders will share the top three export control concerns that their company is facing, along with their compliance priorities for the coming year.

11:15 Latest Developments on U.S. Export and Reexport Requirement: How Your Company Should Prepare for Internal Control
Tim Mooney  
Senior Policy Analyst  
Regulatory Policy Division  
Bureau of Industry & Security
Rob Hart  
Chief, Regulatory and Multilateral Affairs Division  
US Department of State

12:15 Luncheon

1:30 Lessons Learned from Huawei: Reviewing the Latest Regulatory and Enforcement Actions, and Learning How to Meet U.S. Government Screening/Red Flag Expectations
Orlando Silva  
Legal Counsel Director  
Export Controls, Customs, International Trade and Corporate Social Responsibility  
BlackBerry (Mississauga, ON)
Barbara Linney  
Partner  
Baker Hostetler (Washington, DC)
Lisa Lischak  
Head of Legal and Compliance  
Exertis Group (London, U.K.)

• What are the enforcement trends involving denied parties
• What does it mean if BIS places a business partner on its entity list or if the business partner becomes subject to other U.S. export/reexport restrictions or sanctions
• What are the steps for determining whether particular transactions or activities are prohibited
• The Denied Party screening process from a U.S. and Canadian perspective
• Telecommunication products procurement requirements from U.S. DoD
• U.S. government initiatives to protect defense supply chain

2:30 ITAR and EAR Updates: How to Gain a Competitive Advantage from the Special Treatment that Canada Receives Under the ITAR and EAR
Natalie Coll  
Senior Manager & Counsel, Investigations & Audit  
Global Trade Compliance  
FLIR Systems. Inc. (Arlington, VA)
Ajay Kuntamukkala  
Partner  
Hogan Lovells (Washington, DC)
Maria Kounadis  
Export Control Manager, Americas  
CAE (St-Laurent, QC)

• Applications of ITAR § 126.5 exemptions to hardware, technical data, and defense services when exporting and reexporting
• Record-keeping and reporting requirements associated with the Canadian exemption EAR’s “No License Required” provision for many U.S. exports to Canada
• How to use EAR § 734.4 de minimis provisions to reduce U.S. reexport licensing burdens
• Best practice methods and procedures being used by Canadian industry to make the most of EAR license exceptions

3:30 Coffee and Tea Break
How to Meet the Top 10 Classification Challenges for Canadian Organizations

- When does an item or technology become ITAR-controlled?
- Differences between U.S. and Canadian dual-use hurdles, and nuclear-related dual-use classification processes
- How to mark items as controlled under the ECL
- “Specially Designed” vs. “Designed or Modified”?
- Classification for commodities being exported out of Canada to third countries along with non-U.S. items.
- When is non-U.S. origin data considered “Derived Data” for U.S. reexport control purposes?
- Understanding EAR99
- ITAR classification vs. classification under the Control Goods Program in Canada

Gordon Clarke
Director, Engineering & Regulatory Affairs
Cesaroni Technology Inc (Toronto, ON)

Bryce Bittner
Director of Global Trade Compliance
Textron (Washington, DC)

Jack R. Hayes
Of Counsel
Steptoe & Johnson LLP (Washington, DC)

How to Develop Effective and Robust Compliance Programs in Multi-jurisdictional Business Operations

- Strategies to resolve the conflicts between U.S. and Canadian export control regulations?
- Exports to non-U.S. destinations of items with or without U.S. content
- What is the recommended internal controls for hiring and managing employees including dual and third country nationals
- How to implement effective training and measure the outcomes
- What is the best risk assessment method to prioritize the risks?
- How to use resources wisely to coordinate compliance with different regulations such as data security, privacy law, employment law, and human rights
- Innovative Tools for compliance

Hillary Doll
Senior Director, Global Trade
Raytheon (Arlington, VA)

Ken Purchase
Director, International Trade Compliance
Pratt & Whitney Canada Corp (Longueuil, QC)

Monique Laneville
Senior Director
International Trade Compliance (ITC), Digital, Authorizations & Technology Management
Collins Aerospace (Charlotte, NC)

Very pertinent topic and wide array of speakers from different backgrounds sharing a lot of different experiences and best practices.

- Rolls-Royce Canada Ltd.
11:00 Networking Break

11:15

**U.S. Department of Defense’s (DoD) New Cybersecurity Maturity Model Certification (CMMC) Program: Are You Ready for Your Cyber Audit?**

**Katie Arrington**  
Special Assistant to the Assistant Secretary of Defense for Acquisition ASD(A) for Cyber (Washington, DC)

**Gary Stanley**  
President, Global Legal Services, PC (Washington, DC)

- Learn about U.S. DoD’s new Cybersecurity Maturity Model Certification (CMMC), a program that will require all U.S. DoD contractors and subcontractors to undergo a third-party audit of their cybersecurity programs if they wish to continue receiving U.S. DoD work.
- Understand the relationship between NIST SP 800-171 and CMMC.
- Discover which of CMMC levels 1 through 5 may apply to your company’s DoD work and what cybersecurity requirements each level entails.
- Which Canadian third parties will U.S. DoD certify to conduct such CMMC audits?
- Learn whether the costs of such audits will truly be “allowable and reimbursable” costs that you can flow up to your customer.

12:15 Luncheon

1:30

**Supply Chain Risk Management: Latest Strategies for on Screening Your Business Partners and How Best to Monitor Transactions**

**Selena Hui-Garreaud**  
Director of Export Control and Compliance, C Series Aircraft Limited Partnership - Airbus Bombardier (Mirabel, QC)

**Sarita Dankner**  
Vice President, Legal and Global Compliance, ATS Automation Tooling Systems Inc. (Cambridge, ON)

**Thaddeus McBride**  
Member, Bass, Berry & Sims PLC (Washington, DC)

- Conducting due diligence and screening on suppliers, freight forwarders, distributors, customs brokers, customers, third parties, and end users for export control and sanctions requirements.
- How to monitor the transactions.
- How to use contract terms to protect your business.
- Understanding the origin of parts and components throughout your supply chain.
- Resolving disagreements with customers and suppliers on classification and licensing.
- How to keep a dispersed network of partners operating under one umbrella of compliance standards.
- How to accelerate your control procedures to keep goods and business move fast.
- Trade war and tariff mitigation strategy.

 Speakers and presentations were very informative and input from the audience was really helpful.

– Teledyne DALSA Inc.

2:15

**Audit and Investigations: Current Expectations and the Volunteer Self Disclosure Process**

**John W. Boscariol**  
Partner, McCarthy Tétrault LLP (Toronto, ON)

**Matt Bell**  
Senior Managing Director, Forensic & Litigation Consulting Practice Leader – Export Controls and Sanctions, FTI Consulting (Houston, TX)

- Determining when an audit or investigation is needed.
- Putting together your team.
- Best practices for conducting the audit or investigation.
- Reporting on the outcome and keeping record.
- Implementing appropriate remedial measures.
- Volunteer self disclosure – lessons learned from export control enforcement; What documents you should disclose to U.S. government vs. Canadian government.
- How to comply with data privacy regulations when disclosing.

3:15 Networking Break

3:30

**Deemed Reexport and Third Country Nationals: Reconciling the ITAR and EAR with Canadian Human Rights Laws and Privacy Laws**

**Cyndee Todgham Chernicak**  
Partner, LexSage (Toronto, ON)

**Kay Georgi**  
Partner, Arent Fox LLP (Washington, DC)

- What other companies do – contrasting DN/TCN treatment under EAR/ITAR.
- Comparing the treatment of dual and third-country foreign nationals under the EAR and ITAR.
- Best practices for reconciling export controls with Canadian human rights and privacy laws: concrete examples.
- Critical ‘dos and don’ts’ for due diligence throughout the hiring process.
- How to interpret Canadian and U.S. guidance on hiring, firing, and everything in-between.
- Case studies and scenarios on best practice.

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About us:

The C5 Group, comprising The Canadian Institute, American Conference Institute and C5 in Europe, is a leading global events and business intelligence company.

For over 30 years, The Canadian Institute has provided the opportunities that bring together business leaders, professionals and international experts from around the world to learn, meet, network and make the contacts that create the opportunities.

Our conferences and related products connect the power of people with the power of information, a powerful combination for business growth and success.

Join the Conversation  
@ACI_IntTrade #ExportCanada | ACI: International Trade Group

James Rickert  
Managing Director  
Investments Infrastructure  
Brookfield Asset Management  
(Toronto, ON)

Clifford Sosnow  
Partner  
Fasken Martineau DuMoulin  
(Ottawa, ON)

Christine E. Savage  
Partner  
King & Spalding (Washington, DC)

- Updates on CFIUS review and future development trends
- What criteria is CFIUS using to assess risks related to sensitive personal data, emerging and foundational technologies, and critical infrastructure?
- When to apply for CFIUS review?
- Time frame and process for the review
- Why some companies in Canada have received requests for CFIUS review
- Discussion of ownership subjected to CFIUS review
- How is U.S. trade policy affecting CFIUS reviews?
- What impact will FIRRMA have on U.S. technological competitiveness and the investment environment?
- What challenges will CFIUS reform present for U.S. and Canadian businesses?
- How will the proposed new CFIUS rules impact Canadian foreign investment review?
- How to prepare for Canadian national security review and discuss on procedures

4:15

5:00 Conference Ends

3 Ways to Register

ONLINE: AmericanConference.com/ExportCanada
EMAIL: CustomerService@AmericanConference.com
PHONE: 1-888-224-2480

Pricing and Registration Information:

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Workshop A: Deep Dive into Canada and U.S. Export Control Updates: Focus on Recent Regulation, Changes and the Essential Elements of an Effective Compliance Program

Workshop B: Technology Transfers: How to Manage Intangible Export Compliance Risks for Cloud Computing, Encryption, Email Usage and Foreign National Employment

$600 (Each)

To update your contact information and preferences, please visit https://www.AmericanConference.com/preference-centre/.

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Payment must be received in full by the program date to ensure admittance. All discounts will be applied to the Program Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to 3 or more individuals employed by the same organization, who register at the same time.

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Delegates Substitutions and Cancellations

You must notify us by email at least 48 hrs. in advance of the conference if you wish to send a substitute participant. If you are unable to find a substitute, please notify us in writing no later than 10 days prior to the conference date and a credit voucher will be issued to you for the full amount paid, non-refundable against any other AC conference in the next 12 months. Delegates may not “share” a pass between multiple attendees without prior authorization.

All cancelled conference registrations will be subject to a cancellation fee of $300 and all applicable taxes. Any product registrations (inclusive of workshops, receptions, masterclasses, etc.) will be subject to a cancellation fee of $30 and all applicable taxes.

If you prefer, you may request a refund of fees paid less the applicable cancellation fee. No credits or refunds will be given for cancellations received within 10 days of the conference start date. No liability is assumed by American Conference Institute for changes in program dates, content, speakers or venue. American Conference Institute reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants.
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The Canadian Institute
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TOP 5 REASONS TO ATTEND

1. HEAR from Canadian and U.S. government decision-makers and ask your own questions
2. LEARN the latest developments on Canada and U.S. export controls
3. NETWORK AND BENCHMARK with 30+ industry speakers
4. DISCUSS the most critical trade compliance issues tailored for Canadian organizations
5. PARTICIPATE in the longest running U.S. export and reexport conference in Canada