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# The Advocacy Center

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## **Establishment Of An Interagency Task Force On Commercial Advocacy** - Executive Order, December 6, 2012

- Through the guidance of the NEI
- Build upon the successes of the Advocacy Center
- Create a new whole-of-government commercial advocacy program
- Utilize resources from our interagency partners to enhance U.S companies' competitiveness abroad
- Develop packages of government support from 15 federal agencies



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## Advocacy Center Overview

The Advocacy Center exists at the intersection between business and foreign policy, where commercial diplomacy efforts are required to assist U.S. businesses to compete fairly for foreign government-related business opportunities.

Our mission is to coordinate U.S. Government resources and authority in order to *level the playing field* on behalf of U.S. business interests as they compete against foreign firms for specific international public contracts and other U.S. export opportunities.



# Department of Commerce Advocacy Organization





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## **USG Advocacy is:**

- Government-to-Government
- A counter weight to foreign government political pressure
- Promoting fairness and transparency in the tender processes
- Dealing project-focused, and company specific issues



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## **Defense Advocacy:**

- Supports defense industry
- Helps expand into new markets
- Supports country-specific goals



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## **Advocacy is not:**

- Making or changing policy (ITAR licensing or otherwise)
- Lobbying other USG agencies
- Assistance with judicial actions
- Assistance with trade agreements or market access
- Routine Commercial Assistance



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## Importance of Defense Advocacy

- 35-40% of active advocacy cases are in defense sector
- One-third of active advocacy cases are for SMEs (up from as low as 10% just a few years ago)
- Helps follow through on new export opportunities for specialized defense industry companies, particularly SMEs
- Successes alleviate contraction of the defense industry due to lower U.S. acquisition budgets



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## **When should companies apply for Advocacy?**

- DCS – any time there is a competition or failure of a sole-source negotiation could result in a foreign company winning the contract
- FMS – when there is competition parallel to the FMS process or support from the Commercial Section/other USG agencies may be beneficial
- Advocacy may be useful to focus high-level attention on specific projects in time



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## **Advocacy Process Advantages**

- Advocacy Questionnaire submitted by company provides the information needed by all agencies to support the project
- The Advocacy Center provides one stop for all support
- Due Diligence performed by the Advocacy Center vets the procurement
- Provides cover to Embassy staff to support bids
- Means to gain support from Embassy and other Executive Branch agencies



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## **Advocacy Process Advantages** continued

- Appropriate advocacy strategy is created to help company be successful
- The message and medium of advocacy is coordinated
- Follow-up is sustained
- Can also gain support from military agencies and commands, especially for Direct Commercial Sales



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## National Interest Determination – Defense

- Same as commercial to start
- Consultation with ODC in-country
  - Alignment with COCOM objectives
  - Money budgeted for the project
  - ODC supports the transaction
- Clearance through ITAR/Commerce Control List licensing and security cooperation agencies
  - Department of Defense (e.g., DSCA, COCOMs, OSD, IA's, DTSA)
  - Department of State (e.g., Country Desk, RSAT, DDTC)
  - Bureau of Industry and Security at Department of Commerce



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## National versus Exclusive Advocacy

- The distinction between advocating for:
  - U.S. solution or U.S. competitors equally (National)
  - A specific company, item, or solution (Exclusive)
- Attempts to curb advantage to one company over another when relevant
- At the same time, attempts to ensure exclusive support when only one U.S. interest is in or remains in a competition



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## National Advocacy (formerly Generic)

- More than one U.S. competitor or too early to know who will compete
- Advocates for U.S. solution or all companies equally
- Messaging highlights
  - interoperability
  - shared security interests
  - U.S. quality
  - Security Cooperation goals



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## Exclusive Advocacy

- Also known as “Specific” or “Sole” or “Company” Advocacy
- Only one competitor
  - Down-selection
  - Sole-source negotiation or FMS
  - Only one possible U.S. solution
  - Other possible competitors decline to apply
- Advocates a single, specific company or product
- Messaging includes National Advocacy points



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## **How Do We Advocate?**

Engagement by Senior USG Officials with foreign governments that may take the form of:

- Official correspondence
- Focused meeting/in-person advocacy
- Talking point in bi-lateral meeting/dialogue
- Press release or meeting with foreign press



## **Advocacy Win-Sikorsky and Lockheed Martin**

On June 16, 2012, the U.S. Embassy Canberra informed the Advocacy Center that the Australian Minister of Defense Stephen Smith made a formal announcement that Sikorsky Aircraft Corporation (Stratford, CT) and Lockheed Martin (Bethesda, MD) had been awarded the contract to supply 24 MH-60R Seahawk helicopters to the Royal Australian Navy, a bid valued at approximately \$3.0B, with 100 percent U.S. export content. The Advocacy Center coordinated a number of USG interagency advocacy efforts on behalf of the companies including advocacy from Defense Secretary Gates, Secretary of State Clinton, Secretary of Commerce Locke, Treasury Deputy Secretary Wolin, and ITA U/S Sánchez. In addition, U.S. Ambassador Bleich, Chief of Naval Operations Admiral Roughead, and a seven-member CODEL to Australia led by U.S. Representative Don Manzullo (IL) have advocated at the highest levels of the Australian government for the companies.



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# Advocacy Center Website

- Staff Listing
- Advocacy Guidelines
- Advocacy Questionnaire and Anti-Bribery Agreement

<http://www.trade.gov/advocacy>

**Main Line: 202-482-3896**