

Kevin Wolf

What led you to export controls?

Export controls are important tools to accomplish various national security and foreign policy interests. Thus, learning the rules and providing advice in how to comply with them advances the same interests, which means that the work is meaningful. They are also intellectually interesting because every issue is a complex mix of (i) all types of technologies, new and old; (ii) national security and foreign policy, including human rights, considerations; (iii) economic implications; (iv) statutory, regulatory, and international law questions; (v) law enforcement considerations; and (vi) internal compliance program considerations. Working export control policy issues within the government also include (i) budget and personnel considerations; (ii) competing demands; (iii) congressional concerns and issues; (iv) explaining what export controls can and, more importantly, cannot do; (v) intelligence and law enforcement equities; and (vi) diplomacy.

If you were so empowered, what legislation would you repeal/create?

I think the new Export Control Reform Act of 2018 is a terrific export control law and there are only a few things that need to be changed. The main one is that it needs more authority to allow for the control of specific end uses and end-users in connection with novel and emerging human rights issues involving the use of widely available technologies that cannot be controlled through traditional lists of items. Also, Congress should require the administration to lead an effort of a small group of producer nations of emerging technologies to expand the traditional "national security" basis of export controls beyond those directly related to WMD and conventional military concerns to address China's civil-military fusion policies. Relying on unilateral controls to address novel China-specific controls are effective in the short run, but eventually do more harm than good because allies are not subject to the same controls. The

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traditional multilateral regime system is excellent for addressing traditional WMD and military issues, but is too slow to address PRC-specific policies that are a broader-than-traditional threat to allied country common interests.

Which role is the most challenging: high-ranking public servant or private sector legal adviser?

The roles are similar in that one is either creating and implementing the rules to advance national security and foreign policy objectives or advising companies on how to comply with the rules, which advances the same objectives. The government job, however, is harder because of the need to decide exactly what is in the national interest and coordinate the equities of many different parts of the government to come to a final conclusion. The compliance lawyer merely works from those conclusions to provide advice about what the government has decided is and is not permitted.

What 'secret' would you share with your successors in various roles?

Secret 1: There will be requests to do a thousand different things. You will, however, only have time and resources for a hundred of them. So, focus on the hundred things you want to accomplish given the time and resources available rather than starting a thousand things that will never be finished. Secret 2: There are a million ways to stop progress but only one way for it to succeed – which is through commitment

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and focus on a goal from the beginning. Secret 3: "Mission first, people always" is a good motto to live by. One cannot get anything done otherwise. Secret 4: The best way to accomplish the mission is to give credit for the successes and to take the blame for the failures – and to learn from the failures.

What 'secret' was – or do you wish had been – shared with you?

I'm not sure. Before I started, I spent a lot of time speaking with and learning from all those who had preceded me to benefit from their experiences and wisdom. So, nothing really surprised me when I started. Thus, my advice to anyone taking a senior government job is to do the same thing – regularly reach out to those who preceded you for advice. Odds are they will have been through the same issues you are struggling with at the time. ■