August 2010

GLOBAL SUPPLY CHAIN REVIEW

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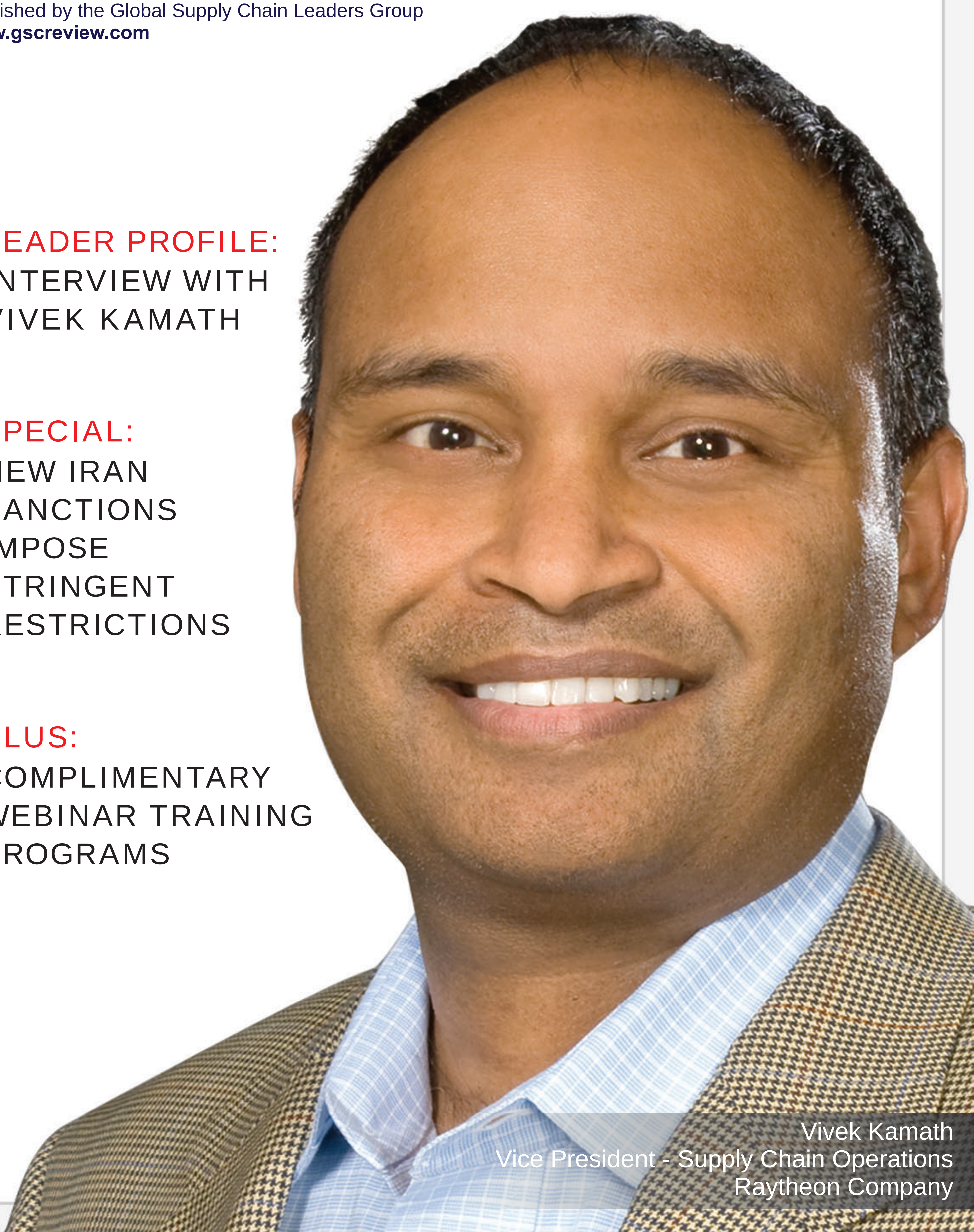
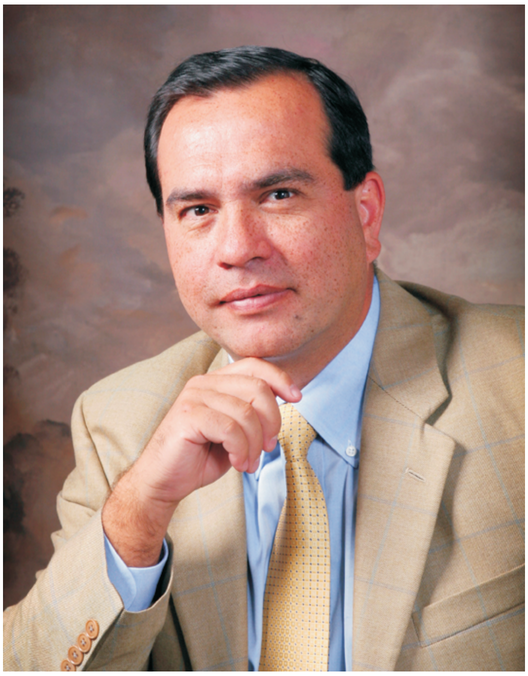
LEADER PROFILE:
INTERVIEW WITH VIVEK KAMATH

SPECIAL:
NEW IRAN SANCTIONS IMPOSE STRINGENT RESTRICTIONS

PLUS:
COMPLIMENTARY WEBINAR TRAINING PROGRAMS



Vivek Kamath
Vice President - Supply Chain Operations
Raytheon Company



The *GSC Review* Magazine continues its series on outstanding individuals in Supply Chain. This month, we present an interview with Vivek Kamath, Vice President, Supply Chain Operations at Raytheon Company.

Vivek is responsible for supply chain operations at Raytheon Company. He has extensive supply chain experience including roles as Director, Supply Chain / Supplier Management at Remec, and Manager, Supply Chain at Ford Motor Company.

Vivek holds a Master's Degree in Finance from the University of Detroit Mercy.

We will do our best to continue to provide you with interviews of leaders that deserve your recognition. I ask our readers to send in the names of those you would like to see interviewed so we can learn from their views and accomplishments. We started this series in 2009 and we have an excellent lineup of individuals to fill out 2010.

You can find past interviews at http://gscreview.com/home_com.php.

We celebrate supply chain leaders with vision, passion, and care for their customers and employees. These leaders provide the value shareholders deserve; they ensure that their customers keep moving forward while dealing with global challenges affecting the day-to-day operations. If we recognize great performance and leadership potential, we will promote our capacity to lead both operationally as well as at the C-level. As senior-level supply chain leaders, the senior executives featured in our magazine should be recognized by their peers and by the industry. We hope to see them grow and become the future CEOs that we all deserve and admire.

We are delighted to present Vivek Kamath, Vice President of Supply Chain Operations at Raytheon Company and look forward to honoring many more like him in the *Global Supply Chain Review*.

We are also pleased to present "New Iran Sanctions Impose Stringent Restrictions," a great article written by Charles G. Berry and Michael E. Ginsberg. It details the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA) and its effects on supply chains.

Sergio Retamal

Publisher, *GSC Review*
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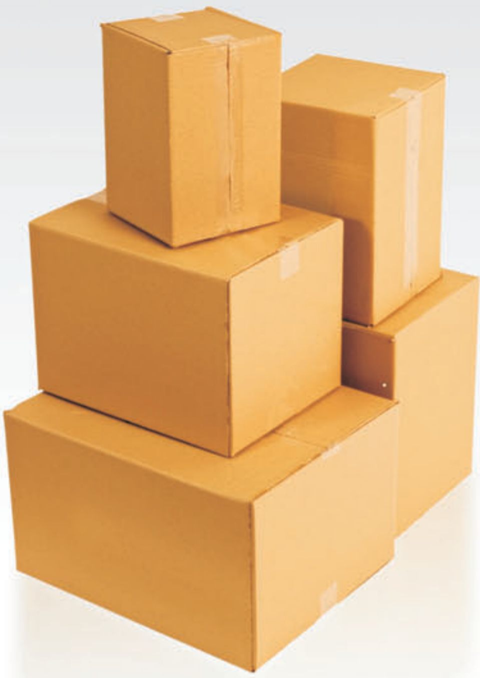
CERTIFIED CARGO SCREENING PROGRAM (CCSP)

You've spent time thinking outside the box.
Do you know what's inside the box?



☑ **Think outside the box** ☐ Look at what's inside the box

Does supply chain security keep you up at night? First, US-bound ocean containers were subjected to the reporting requirements of the 24-Hour Advance Manifest rule, and then to the Importer Security Filing. Now, air shipments transported on board passenger aircraft will need to be screened.

At Global4PL we are able to stay up at night for you, or work right alongside you as members of your team as you become certified in the Certified Cargo Screening Program ("CCSP") as authorized by the U.S. Transportation and Security Administration.

Come August 1, 2010, 100% of cargo transported on passenger aircraft will need to be screened. Large companies have expensive equipment to conduct cargo screening, but that does not relieve the medium-size and small businesses from the screening requirement. Manufacturers and shippers are encouraged to become certified cargo screeners.

- Avoid the bottlenecks at the freight forwarder and at the airlines
- Improve overall supply chain security and safety for your company
- Avoid damage to your cargo by screenings outside your control

For a free assessment of your company's state of readiness for CCSP, give us a call. We'll give you our honest opinion. And if you want to know more about other government programs or ways to help reduce your overall transportation spend, we'll be happy to oblige.

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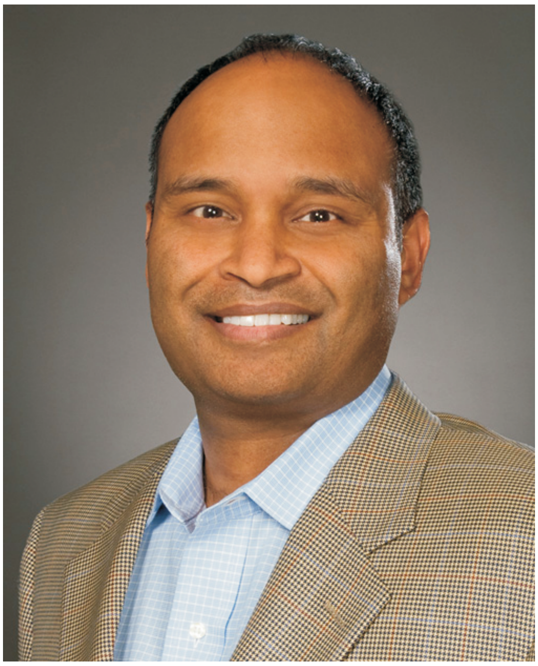


Vivek Kamath's supply chain management experience spans over 15 years, with focus in Sourcing, Procurement, Logistics, and Supplier Performance Management. He is currently the Vice President of Supply Chain Operations at Raytheon Company. Prior to his current position, Vivek served as Director, Supply Chain / Supplier Management at Remec. He was Manager, Supply Chain at Ford Motor Company for over ten years, where he started his career in supply chain.

Vivek Kamath holds an MBA in Finance from the University of Detroit Mercy.

How important is supply chain management to Raytheon's overall business strategy?

Raytheon Supply Chain is playing an ever increasing role within Raytheon's business strategy execution. Since Supply Chain touches every aspect of the value chain; from program capture to final execution; driving a robust and competitive Supply Chain strategy provides Raytheon with a distinct competitive advantage. This is especially true in supporting Raytheon's international growth strategy.

What primary areas of focus (or key initiatives) should Raytheon be looking at for Supply Chain Management?

There are several focus areas that Raytheon is driving in parallel including increasing enterprise-wide leveraged spend on direct & indirect commodities as well as expanding shared services. In the Solutions & Tool development arena we are focused on tools like Business Intelligence, supplier portal accessed communications and process automation. In the People arena we continue our strategy of career development enablement. Considerable resources are assigned to deliver these initiatives.

How has outsourcing enabled Raytheon to be successful with these initiatives?

Speaking for Supply Chain, outsourcing non-core activities enables Raytheon to focus resources on driving the various strategies. We've partnered or led major outsourcing initiatives for the enterprise (e.g. IT, Travel, etc.). In the end, you still need to find the right balance.

How is Raytheon addressing the market's increasing focus on 'green' supply chains and reducing the company's carbon footprint?

As a company, Raytheon is committed to protecting the environment (see Raytheon Annual Sustainability Report). As an executive co-sponsor of the Raytheon Sustainability Team, Supply Chain is a key member of the cross-functional team responsible to drive Raytheon's sustainment commitment. Supply Chain continues to work with our current suppliers on enhancing existing programs while at the same time driving 'eco-friendly' procurement into our new sourcing activities. In the end, everyone has a role from Logistics (CO_2 emissions & returnable packaging) to Technology (paperless processing) to Commodity Management (environmentally responsible supply base).

What is the key Supply Chain Management priority for Raytheon in the coming two to three years?

In alignment with Raytheon's Growth Strategy - Grow International Business - Supply Chain must also enhance our capabilities in this area. This includes having the right people with the right skills, tools and processes to support customers; wherever, whenever.

Continued

What is the key Supply Chain Management priority for Raytheon in the coming five to ten years?

In addition to increasing Supply Chain's international capabilities, we need to strengthen our presence in all front end of the business activities. Raytheon Supply Chain's ability to drive affordable, predictable and flawless execution will continue to be a priority.

What are the biggest INTERNAL challenges for manufacturers to achieve supply chain excellence?

Three internal challenges come to mind. First is the alignment of cross-functional stakeholders in supply chain related activities. Second is the large number of programs (over 8,000) that Supply Chain supports. Third is having the right skills and talent to execute. In order to achieve excellence, Raytheon Supply Chain spends significant time in all three areas.

What are the biggest EXTERNAL challenges in achieving supply chain excellence?

It is aligning Raytheon with the right suppliers / supply-base to ensure our commitment to deliver innovative products and services to our Customers. Once the right supplier is selected, robust supplier management including establishing the right performance measurement indicators ensures the product or service is meeting design criteria.

What are the supply chain challenges to which Raytheon SHOULD be paying more attention?

I believe Raytheon Supply Chain is already focused on the right challenges. The issue is that we need to be moving faster to close the gaps where they exist.

Who is responsible for planning your company's business continuity when facing natural disasters, major disruptions or other geopolitical issues?

Raytheon Enterprise Preparedness has the lead. Depending on the event, recovery efforts are lead at the site, business, or corporate level. Working level teams have the responsibility to first respond to the issue and then implement the necessary recovery plan. Simulation exercises are leveraged to prove-out business continuity and recovery plans. It is an issue that Raytheon takes very seriously.

How do you grade Raytheon's supply chain overall performance in client satisfaction?

I believe that Raytheon Supply Chain performs well and our customers and key stakeholders frequently recognize our performance. We are an outright "A" in some areas and in several areas I'd grade us "A-/B+". That means there is room for Supply Chain to improve on our processes and results. We can always be better.

During this economic downturn, how do you keep your entire organization motivated?

This is easy; in most cases the end user of a Raytheon product or service is the warfighter. Keeping focus on the customer and delivering NoDoubt™ solutions is all the motivation our organization needs.

How important is / are the Contract Manufacturers (CMs) for Raytheon' overall strategy?

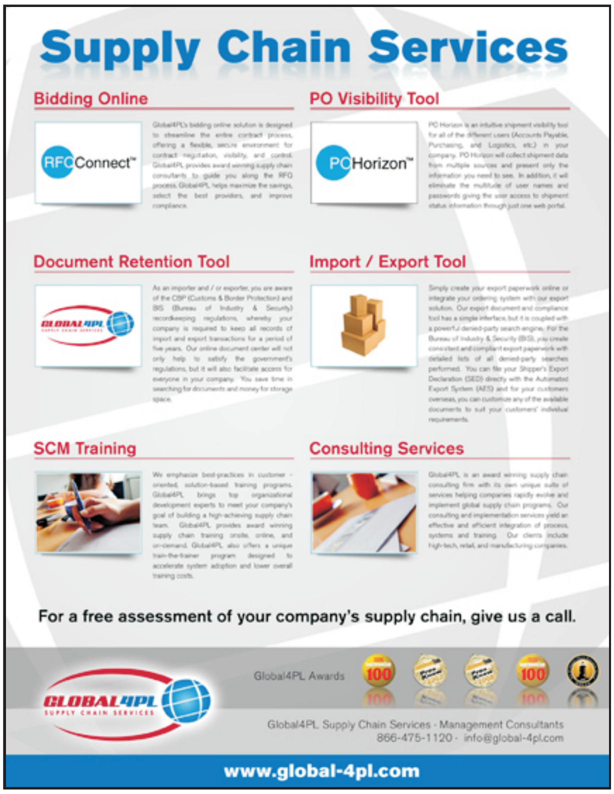
As Raytheon continues to drive Mission Systems Integration (MSI) strategy, the reliance on contract manufacturers (or sub-contract suppliers) as part of Raytheon's overall strategy is critical.

What are the key factors to ensure a successful CM relationship?

There are several key factors to effective partner management. It starts with selecting the right partner with the right capabilities. From there a successful relationship will depend on the integrated team (Supply Chain, Engineering, Operations, Supplier / Partner, etc) driving robust change management. In the execution phase, the right measurement system, requirements planning and active communication process all support flawless execution.

How important is trust in the Raytheon / CMs relationships?

Trust is the cornerstone of any relationship especially one where you rely on an external partner so heavily. Ultimately you are accountable and you must take ownership over the successes and failures. Without trust you are almost destined to fail. With trust you can do great things. Patrick Lencioni's "Five Dysunctions of a Team" explains the importance of a trust based relationship perfectly. In summary, trust by verifying.



How do you prepare for the upturn now that the economy is showing improvement?

Remaining flexible and lean will enable you to manage both upturns and downturns. Fortunately, Raytheon's diverse product portfolio, customer and supply base has enabled Raytheon to operate consistently despite the recent economic environment.

When do the fuel cost / dollar exchange and / or geopolitical factors make insourcing a viable option?

Sourcing decisions; Make / Buy / Where have been and should always be based on Total Cost of Ownership (TCO) and regulatory compliance (ITAR, etc). For Raytheon, a "one size fits all" approach doesn't necessarily work. International customers continue to place emphasis on establishing an in-country presence in addition to off-set requirements. In the end, several factors play a role in sourcing decisions.

What are your thoughts regarding globalization?

Globalization has two elements. First, Raytheon faces increasing global competition for its products and services. Secondly, globalization from a supplier / supply base creates unique challenges as well. One certainty is that globalization in the Aerospace & Defense marketplace will continue to shape how Raytheon executes our supply chain activities.

What attracted you to supply chain management?

Great question. Management of multiple complex concurrent activities. Supply Chain is in constant motion with multiple facets. As a person who wants to be involved in all aspects of the business, Supply Chain was an attractive career proposition. And, I truly believe a strong supply chain organization is absolutely a strategic and competitive advantage.

What are the main skills and personal attributes that have helped you reach your current position?

First and most important, you have to love what you do and be passionate about what you do. Second, you have to set vision, not just for today but for where you like the organization to be. Third, you need to always lead by example and win hearts and minds. Lastly, but clearly very important, you have to be able to build strong teams of dedicated individuals around you. With a strong team you have the trust in one another to lead the organization forward. Everyone in the organization knows where they stand and what their part is in contributing to the organization's success.

What would you say is the most rewarding experience you've had in your career?

Excellent question. By far the most rewarding experience has been to be put into positions where I can shape the vision, drive strategy and execute positive change in companies. I've also been very lucky to have worked in four different industries and with each I've had to pleasure of working with great people and have been able to affect their careers and impact their professional development.

What have you learned as "Vice President, Supply Chain Operations" that has surprised you or changed the way you do business?

Interesting question. I believe learning is a continuous process, so my answer is at this point in time. You provide leadership for the team by relying on your influence, integrity and reputation. You need to check your ego and emotion at the door.

Who do you rely on for advice?

I rely heavily on those individuals with whom I have a trust-based relationship. In these situations, the advice ends up being a two way dialogue. This includes colleagues, peers, friends and family.

How do you balance your work life with your personal life?

I've made a personal pledge to balance both aspects of my life. At work, I have a team I can rely on. I lead by example and encourage my team to find their inner balance. At home, I have a family that is absolutely supportive. When I do get out of balance, I hear about it fairly quickly.

Turbulent times can be the best time to implement changes. However, companies tend to paralyze due to uncertainty in the market or their human capital. What is your advice to maximize the opportunities to implement changes during tough times?

Be proactive and take risks. Turbulent times to me are opportunities - they help define a burning platform to rally teams and make the case for change. However, don't wait for turbulent times to make the changes you know need to be made. If you wait until turbulent times, you've waited too long. In the end, you will be forced into a survival mode where sub-optimal decisions are made due to resource or timing constraints. Make the incremental changes in good times and drive a continuous improvement mindset. Change is not a start and stop exercise. Those companies who embrace a culture where change is a continuous evolution will always be stronger in the end.

By Charles G. Berry and Michael E. Ginsberg

Background

On July 1, 2010, President Obama signed the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA). This new law amends and extends existing sanctions under the Iran Sanctions Act of 1996 (ISA). It imposes significant restrictions on the ability of U.S. and foreign companies to provide to Iran refined petroleum products, such as gasoline and equipment used in the refined petroleum industry. These sanctions have already had a significant effect on the activities of international shipping and logistics companies.

U.S. sanctions on Iran, and on its petroleum industry, are not new. Since 1996 the ISA has prohibited U.S. persons (for the most part, U.S. citizens and permanent residents) from engaging in a wide array of transactions with Iran. Prior to the enactment of CISADA, U.S. regulations already prohibited U.S. companies from entering into transactions for the overall management or financing of petroleum development projects in Iran.

The new sanctions go a step further, and their greatest effect will likely be on non-U.S. companies not previously covered by U.S. sanctions. International shipping companies, brokers, insurers and others involved in international trade and services are subject to harsh new sanctions under CISADA. Many of the new sanctions, including the refined petroleum sanctions, are intended to apply to companies all over the world, even those without any U.S. offices, business activities or other ties here.

The New U.S. Sanctions on Iran

Most relevant to companies involved in international trade are the new sanctions on refined petroleum products. CISADA imposes sanctions on U.S. and non-U.S. companies for four particular activities involving refined petroleum products:

- investing more than $20 million in the Iranian petroleum industry in any given investment, and working individual investments of $5 million or more over the course of a 12-month period. An “investment” is defined as one that directly and significantly enhances Iran's ability to develop petroleum resources.

- providing goods, services or other support that directly or significantly facilitates the maintenance or expansion of Iran's domestic production of refined petroleum products. That includes any direct and significant help in constructing, modernizing or repairing petroleum refineries, in amounts of $1 million or more for any individual provision of goods or services, or an aggregate of $5,000,000 or more over a 12-month period.

- providing Iran with refined petroleum products worth $1 million or more or an aggregate of $5 million or more over a 12-month period.

- providing Iran with goods, services, technology or other items directly or significantly enhancing Iran's ability to import refined petroleum products, where those goods or services have a value of $1 million or more or an aggregate value of $5 million or more over a 12-month period.

Because the new sanctions do not define the term “directly and significantly,” companies should be prepared for the possibility that the U.S. government will interpret broadly what constitutes a “direct and significant” product, service or enhancement of Iran's refined petroleum capabilities.

Of particular importance to the international trade community is the new law's description of the prohibited services. Services that enhance Iran's ability to import refined petroleum include “providing insurance for the sale, lease, or provision of goods, services, technology, or other support; financing or brokering such sales or leases; and providing ships or services to deliver refined petroleum products to Iran.” This is a broad definition of "services" and covers a wide array of activities involving shipping related to refined petroleum and Iran. A single exception permits the President to refrain from imposing sanctions on a person providing underwriting services, insurance or reinsurance if he finds that such person has exercised diligence in establishing policies and procedures to avoid prohibited activity.

The new law also requires the President to initiate an investigation upon receipt by the U.S. of "credible information" indicating that a person is engaged in sanctionable activity. Within 180 days, the President is required to determine if such person is involved in sanctionable activity and notify Congress of the basis for that determination. The new law also requires the President to certify that any waivers granted are "necessary to the national interest." That is a higher standard than the standard of "important to the national interest" in the ISA.

For companies providing services to U.S. government, the new sanctions impose particular requirements and present potential risks. All prospective U.S. government contractors must certify that they and each person they own or control are not engaging in any sanctionable activity. A false certification to the government, whether deliberate or inadvertent, could result in sanctions on the prospective contractor, including prohibitions on contracting with the U.S. government and the loss of existing U.S. government contracts.

For sanctionable activity involving (1) the production of refined petroleum products in Iran or (2) the exportation of such products to Iran, the requirement to commence an investigation is delayed for one year and can be extended for renewable six-month periods if the President certifies that there was a substantial reduction in sanctionable activities under those provisions. If no certification is made, an investigation must commence when the certification would have been due, and a determination is due in 45 days.

The purpose of these sanctions is clear: to deny Iran access to refined petroleum products and to prevent Iran from enhancing its existing petroleum refining capability. As Iran imports a significant fraction of its gasoline, the U.S. government believes these sanctions will affect Iran's willingness to negotiate over its nuclear program.

Potential Penalties

If the President determines that an individual or company has engaged in sanctionable activity and no waiver applies, at least three out of a possible nine sanctions must be imposed. The potential sanctions are:

- disqualification from U.S. Export-Import Bank assistance;
- denial of U.S. export licenses;
- prohibition on loans totaling more than $10 million in any 12-month period from U.S. financial institutions;
- prohibition as a primary dealer in U.S. Government debt instrument; or repository of U.S. Government funds (if a financial institution);
- prohibition on U.S. Government procurement;
- restriction on U.S. imports from the sanctioned person;
- prohibition on any transactions in foreign exchange subject to U.S. jurisdiction;

- prohibition on any transfers of credit or payments between, by, through, or to any financial institution subject to U.S. jurisdiction that involve any interest of the sanctioned person; and

- prohibition on acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, exporting or conducting any transaction involving any property subject to U.S. jurisdiction to which the sanctioned person has any interest.

What Do the New Sanctions Mean for My Company?

Companies in the international trading business - such as shipping companies, logistics specialists, freight forwarders, insurers, and the like - should pay careful attention to these sanctions. Activities that were once routine now carry risk. Companies in the business of servicing transport aircraft or ships are at risk of sanctions if they provide fuel to aircraft or ships bound for Iran or owned by Iranian interests, including the Iranian government. Service companies are at risk of being sanctioned if they provide services to any aircraft, ship or vehicle carrying refined petroleum or equipment related to petroleum refining to Iran. Insurance companies are at risk if they insure any vessel bound for Iran carrying refined petroleum or petroleum refining equipment.

Transportation and shipping companies need to be extremely careful to ensure that the cargo they carry does not include refined petroleum or petroleum refining equipment destined for Iran. International investors risk being sanctioned for making investments in the development of petroleum refining capabilities in Iran. States and localities instituting divestment policies for their portfolios have broad discretion in determining whether a company is involved in the Iranian petroleum refining or energy sector. Companies investing in industrial activities in Iran related to the energy sector also risk being sanctioned.

If you are a U.S. government contractor or planning to bid on a U.S. government contract in the future, you must be certain when certifying to the U.S. government that you are in compliance with the U.S. sanctions that you and all of your subsidiaries are compliant with the U.S. law. Even an unintentional error on a certification may warrant a sanction.

The Response to the New Iran Sanctions

Given the breadth of CISADA, the severity of its penalties and ambiguities in its language, companies engaging in international trade that may involve Iran are at significant risk of sanctions. These new sanctions apply even to non-U.S. companies: in fact, those companies were expressly targeted. At least BP, Total, and Shell have ceased supplying gasoline or fuel with Iran as a result of the enhanced sanctions and the general climate they have created. BP, for example, is reported to have refused to refuel passenger jets of the Iranian national carrier at London's Heathrow Airport. It is expected that other international oil companies will follow suit. In addition, Toyota recently announced that it is suspending shipments of automobiles to Iran.

Another major concern for any company involved with international trade in light of the new sanctions is the possibility of negative publicity associated with any activities involving refined petroleum and Iran. The U.S. Congress strongly supported the new sanctions on a bipartisan basis. In addition, members of Congress from both parties have recently announced the creation of a bipartisan “Working Group on Iran Sanctions Implementation” to support full implementation of the sanctions, and they plan to hold hearings in the fall. Given the high interest in the sanctions and their enforcement by both political parties, companies that violate the sanctions or undertake activities involving refined petroleum and Iran are likely to find themselves the subject of unwanted negative publicity and even hearings in Congress.

The state and local government divestment provisions of the CISADA may also begin to affect overseas businesses. Many states have passed statutes requiring state pension funds and other investment funds to divest holdings in companies operating in Iran's petroleum sector. With passage of the new federal sanctions, other states may follow suit. Local governments, and some U.S. private institutions including certain universities, have enacted similar divestment laws or policies. Interest groups, including human rights groups, may use these sanctions to put public pressure on non-U.S. companies doing business in Iran. International trading companies perceived to be involved in Iranian refined petroleum exports may face such divestment by U.S. states and localities.

How these sanctions play out over the long run - and particularly how strongly the U.S. government ultimately enforces them - is unclear. What is clear is that numerous international companies have decided the safer course is to cease transactions in the Iranian energy sector altogether - a result no doubt welcome to and intended by the U.S. government.

About the Authors:

Charles Berry is a litigation partner in Arnold & Porter LLP’s New York office. He has handled a broad range of commercial litigation in federal and state courts for more than 30 years, with a particular emphasis on representation of foreign banks and businesses with international operations. He has also advised banks and shipping agencies concerning compliance with OFAC regulations and U.S. trade sanctions, including the recent enhancements to the Iran sanctions.

Mike Ginsberg is an associate in Arnold & Porter LLP's Washington DC office in the firm's government contracts/public policy and intellectual property/technology practices. He focuses on export controls, trade sanctions and compliance, and intellectual property and technology-relatedlitigation. He advises companies regarding compliance with US export control laws and trade sanctions. He also has experience in commercial litigation and patent litigation/counseling involving a wide array of technologies. Mr. Ginsberg previously served as the Senior Advisor to the Assistant Secretary for Export Enforcement at the Bureau of Industry and Security of the US Department of Commerce.

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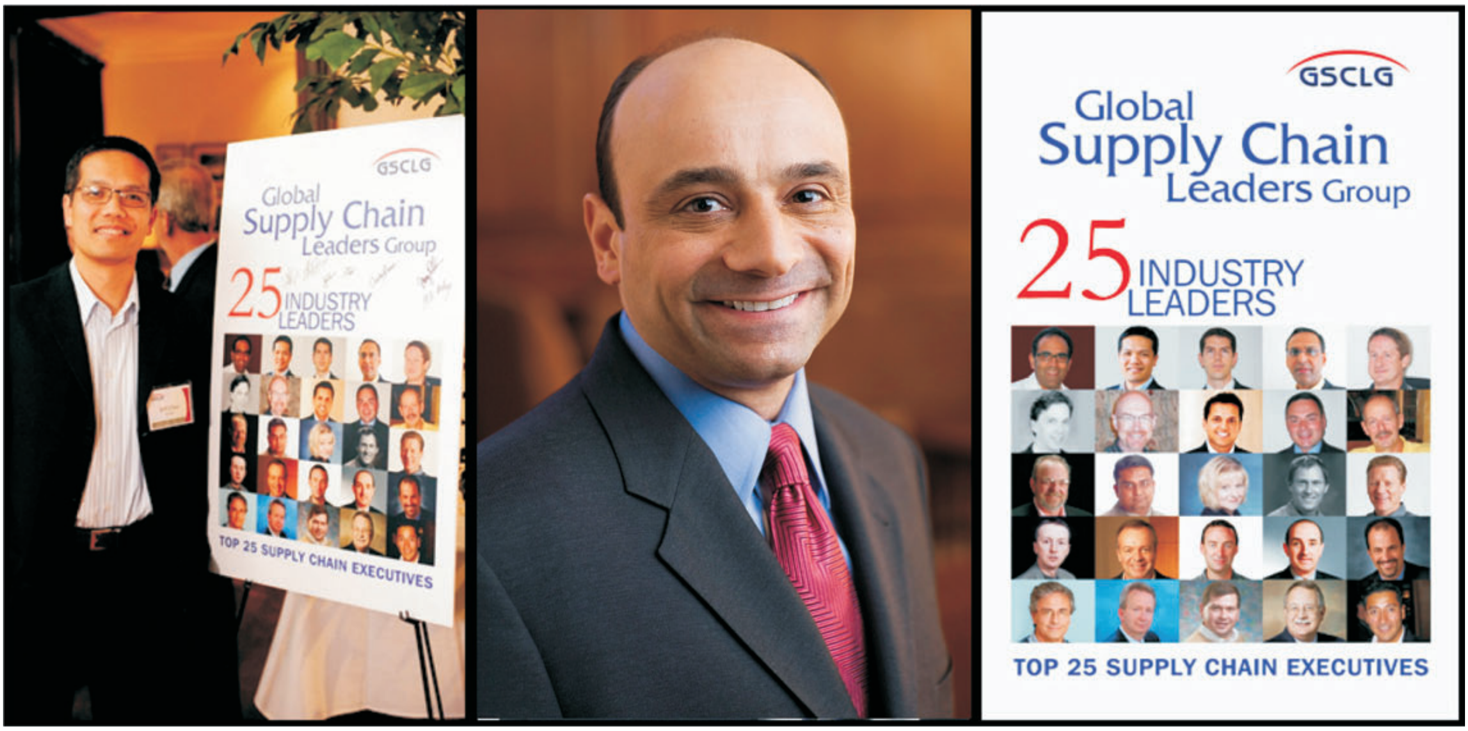

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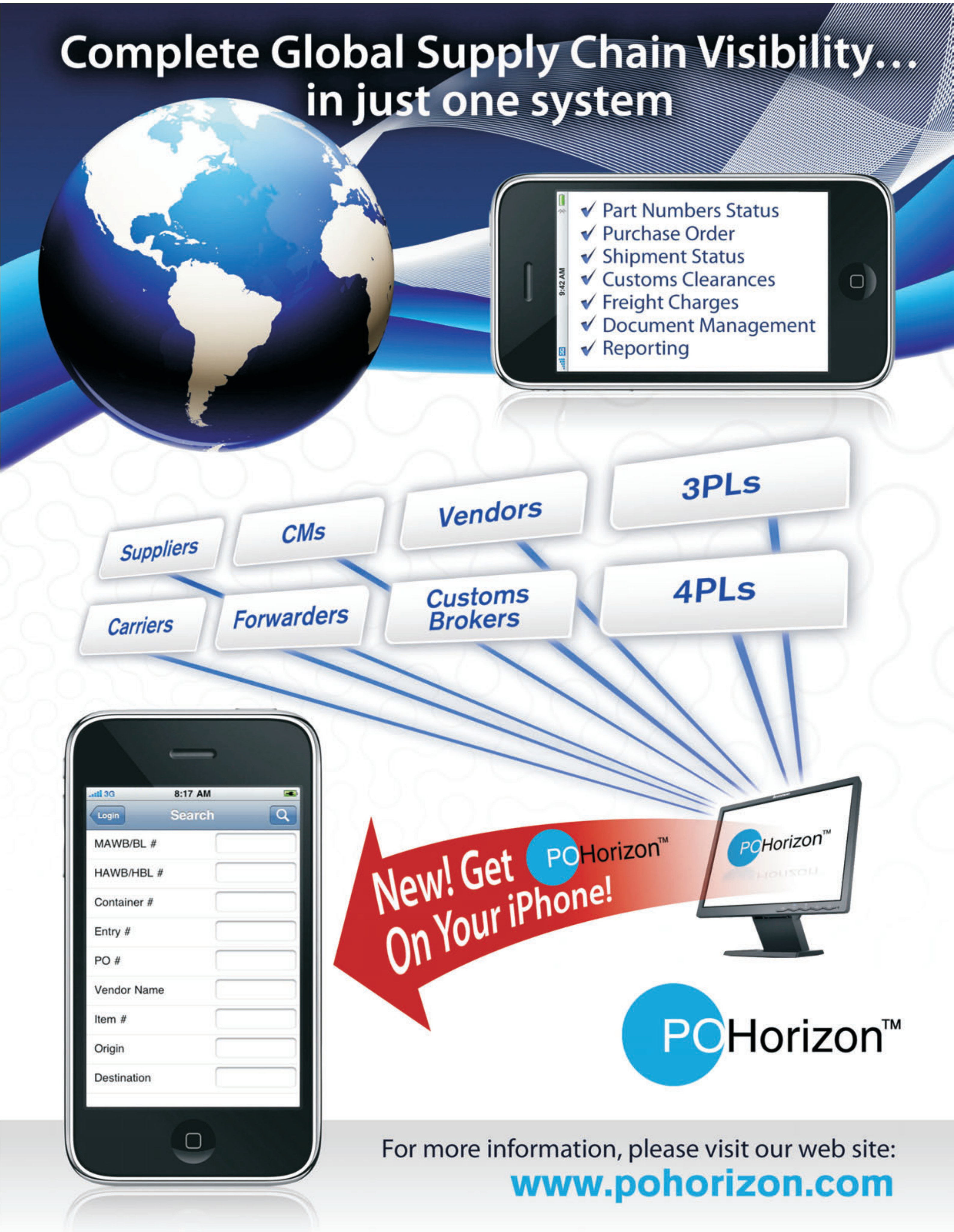
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- Four pre-conference workshops at annual conference ($400 each)
- Two seats at each of the Senior Executive Networking Dinners
- Listing in sponsor directory distributed at all GSCLG specialty conferences
- Company profile and web link
- One full page advertisement in monthly GSC Review (valued at $48,000)

Gold Sponsor ($15,000)
(Includes individual member benefits for one senior executive)

- One free exhibit space (10' x 10') at GSCLG's annual conference ($2,250)
- Two annual conference registrations ($800 each)
- Two pre-conference workshops at annual conference ($400 each)
- One seat at each of the Senior Executive Networking Dinners
- Listing in sponsor directory distributed at all GSCLG specialty conferences
- Company profile and web link
- One full page advertisement in monthly GSC Review (valued at $24,000)

Gold Corporate ($5,000)
(For companies with up to 500 employees)

- Includes individual member benefits for 20 employees
- One free exhibit space (10' x 10') at GSCLG's annual conference ($2,250)
- One annual conference registration ($800 each)
- One pre-conference workshop at annual conference ($400 each)
- Listing in sponsor directory distributed at all GSCLG specialty conferences
- Company profile and web link

Standard Corporate ($2,000)

(For companies with up to 20 employees)

- Includes individual member benefits for 10 employees
- One annual conference registration ($800 each)
- One pre-conference workshop at annual conference ($400 each)

Individual ($225)

- Includes member benefits allowing for opportunities for growth so that the individual may become a future corporate member
- Up to fifty percent discount to all GSCLG events
- Access to members-only events

Media Partner (Call for additional information)

(For Print media companies with Monthly or Quarterly distribution)

- Two annual conference registrations ($800 each)
- Two pre-conference workshops at annual conference ($400 each)
- Listing in sponsor directory distributed at all GSCLG specialty conferences
- Company profile and web link
- Cross-advertising program

Contact: andrea.kostelas@gsclg.com for pricing information

We welcome your company's involvement as a GSCLG sponsor, a corporate, or an individual member!

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