

# SEMINAR SERIES IN **Singapore 2020**

SEPTEMBER 14-17, 2020 • at the ORCHARD HOTEL SINGAPORE



## US Export Controls on Non-US Transactions

**A PRACTICAL GUIDE TO COMPLIANCE AFTER US EXPORT REFORM CHANGES**

DETAILS & REGISTRATION: [www.LearnExportCompliance.com/singapore2020](http://www.LearnExportCompliance.com/singapore2020)

- ▶ *New and updated definitions of key ITAR and EAR terms*
- ▶ *Rapidly evolving US sanctions policies*
- ▶ *Important changes in the treatment of dual and third country national employees of non-US companies*
- ▶ *The Trump Administration: New enforcement and regulation priorities*
- ▶ *How US export rules impact a wide range of transactions outside the US*
- ▶ *How the US enforces these export regulations on non-US companies*
- ▶ *Practical methods for complying with US export regulations*

### Understand how United States export control rules impact Asia-Pacific and other non-US businesses

United States trade control laws and regulations impact companies that use or resell US-origin products, components, or technology. The US Government can impose serious penalties for US and non-US companies who fail to comply with the extraterritorial US rules (including monetary fines, a loss of US Government contracts, or a complete ban from receiving any US items).

TWO BACK-TO-BACK SEMINARS:

#### US ITAR

Defense Trade Controls  
2-DAY SEMINAR

14-15 SEPTEMBER 2020

Learn the ins and outs of compliance with International Traffic in Arms Regulations (ITAR) in a format that is easy to digest.

##### KEY TOPICS INCLUDE:

- New "Specially Designed" Definition
- Canada, UK & Australia Exemptions
- Agreements Requirements
- See Full Agenda on Page 2



#### US EAR & OFAC

Export Controls & Embargoes  
2-DAY SEMINAR

16-17 SEPTEMBER 2020

A hands-on approach to complying with the Export Administration Regulations (EAR), including export controls, antiboycott regulations, and Treasury Department trade embargoes.

##### KEY TOPICS INCLUDE:

- Persons and Items Subject to US Jurisdiction
- US De Minimis Content Calculation
- EAR Classifications
- EAR Controls on Military Items
- See Full Agenda on Page 2



“Great to have enthusiastic speakers who passed that on with some degree of fun without degrading the seriousness of the topics.”

Elaine Hayton, UTC Aerospace Systems

“Excellent presenters — the best that I have experienced. Superb seminar — covered all topics of EAR/ITAR and the lecturers were excellent.”

Seminar Attendee

“Time and money well spent.”

Zimulus R. Nixon, Gulfstream Aerospace Inc.

#### WHO SHOULD ATTEND:

- ▶ *Non-US companies or governments that deal with US-based companies or that purchase US-origin products, components, or technology*
- ▶ *Non-US subsidiaries, parents, or other affiliates of US businesses*
- ▶ *US companies that need to know how the US rules apply to, and impact, their affiliates and business partners located outside of the US*

## ITAR DEFENSE TRADE CONTROLS SEMINAR

14-15 SEPT, 2020

Registration: 8:30 on 14 SEPT  
Program: 9:00 to 17:00 on 14-15 SEPT

### Export Controls Overview

- Primary Regulations (EAR/ITAR/OFAC)
- US Export Control & Defense Trade Policy
- Compliance Resources & Information
- Directorate of Defense Trade Controls (DDTC)
- Arms Export Control Act (AECA)
- International Traffic in Arms Regulations (ITAR)

### Controlled Items & Activities

- ITAR-Controlled Items
  - Defense Articles; Technical Data; Defense Services
  - United States Munitions List (USML) & Identifying ITAR vs. EAR-Controlled Items
  - The Meaning of "Specially Designed"
  - Significant Military Equipment (SME)
  - Commodity Jurisdiction (CJ) Requests
  - Controls on Non-US Items Containing US Content
  - Controls on Non-US Items Produced Using US Technology
- ITAR-Controlled Activities
- Exports, Reexports & Retransfers
- Manufacturing of Defense Articles Outside the US
  - Brokering
  - Name Changes, Mergers & Acquisitions
- Prohibited Countries & Debarred Parties

### Licenses

- Types of DDTC Licenses
- Supporting the US Exporter's Licensing Efforts
- General Correspondence (GC) & Retransfer Approvals for Non-US Companies

### Agreements and US Government Approval

- Manufacturing License Agreements & Technical Assistance Agreements
- Agreement Application & Agreement Guidelines
- Scoping Agreements
- Sublicensing
- Dual/Third Country National Employees
- Handling Hardware in Agreements
- Warehouse & Distribution Agreements
- Agreement Amendments
- Government Review Process
- Congressional Notification
- Checking License Status
- End-Use Checks
- Expedited Licensing Programs

### Exemptions & Exclusions

- Exemptions Available to US Exporters
- NATO+ Retransfer Exemption
- Country-Based Exemptions: Australia, Canada, and the United Kingdom
- Exemption for Reexports to Dual and Third Country National Employees of Non-US Entities
- Public Domain and Basic Marketing Information Exclusions

### Special Issues

- Exporting Defense Articles to the US
  - Permanent and Temporary Imports into the US (Including Repairs)
- Procurement in the US
  - Brokering; "Who is a Broker?"; Brokering Activities
  - Prior Approvals, Exemptions & Reporting
- Political Contributions, Fees & Commissions

### Compliance Programs

- Key Elements, Considerations & Procedural Approaches
- Risk Assessment & US Government Program Recommendations

### Export Control Reform (ECR) & Recent Developments

- ECR and Existing License/Agreement Transition Rules
- Latest ECR Regulatory Changes
- Other Recent Developments in the ITAR

### ITAR Export Enforcement

- Enforcement Agencies & Methods; Fines & Penalties
- Voluntary Disclosures
- Enforcement Case Studies

## EAR & OFAC EXPORT CONTROLS & EMBARGOES SEMINAR

16-17 SEPT, 2020

Registration: 8:30 on 16 SEPT  
Program: 9:00 to 17:00 on 16-17 SEPT

### Introduction to the Export Administration Regulations

- US Export Control Policies & Key Control Concepts
- Comparison to International Regimes & Extraterritoriality of Rules
- Primary US Export Control Regulations
  - Export Administration Regulations (EAR)
  - International Traffic in Arms Regulations (ITAR)
  - Office of Foreign Assets Control (OFAC) Sanctions Regulations

### EAR Controls

- STEP 1: Controls on US Persons & US Subsidiary Activities
- STEP 2: Sensitive US Content Always Subject to Controls
  - 600-Series and 9X515 ECCNs Sensitive Content
  - United States Munitions List (USML) Content
  - Foreign Direct Products of US Technology
- STEP 3: US Content De Minimis Rules
  - De Minimis Calculations for Hardware, Software, and Technology
  - Rule of Second Incorporation
  - Software Bundling & Technology Reports
  - "Publicly Available" Software & Technology
- STEP 4: Export Control Classification
  - EAR, Commerce Control List, and ECCNs
  - Meaning of "Specially Designed"
  - Understanding EAR99
  - Technology & Software Classification
  - Working with US Suppliers for Classifications
- STEP 5: "No License Required" Determination
- STEP 6: License Exceptions
  - Understanding Country Groups
  - Restrictions on Using Exceptions
  - ECCN-based License Exceptions (GBS, CIV, LVS, ENC)
  - Situation-based License Exceptions (STA, RPL, TMP, GOV, APR)
  - Technology & Software License Exceptions (TSU, TSR, ENC, TMP, CIV)
- STEP 7: End-Use and End-User Controls
  - Prohibited Parties; Embargoed Countries; Proliferation Activities
  - Red Flags
  - China, Russia, and Venezuela Military End-Use/User Rule
  - Other Military End-Use/User Restrictions
  - General Prohibitions
  - Antiboycott
  - Applying for a Bureau of Industry & Security License

### Sanctions

- Office of Foreign Assets Control
- OFAC Embargoed Countries: Cuba, Iran, North Korea & Syria
- OFAC Licensing & Approval Policies
- Other OFAC Sanctions Programs
- US Sanctions on Russia, the Crimea Region of Ukraine, and Sudan
- Specially Designated Nationals

### Compliance Programs

- Considerations & Procedural Approaches
  - Internal & External Compliance Resources
- USG Compliance Program Recommendations & BIS Core Elements
  - Management Commitment
  - Risk Assessment
  - Formal Written Compliance Program
  - Ongoing Compliance Training & Awareness
  - Compliance Throughout the Export Cycle
  - Recordkeeping Regulatory Requirements
  - Compliance Monitoring & Audits

### Export Control Reform & Recent Events

- Latest ECR Regulatory Changes
  - Existing License & Agreement Transition Rules
- Other Recent Developments in the EAR
- Recent OFAC Sanctions Updates

### EAR & OFAC Export Enforcement

- How US Rules are Enforced Outside the US
  - US Export Enforcement Agencies
- Statutory & Other Penalties
- Enforcement Case Studies
- Preventing Violations
- Voluntary Self-Disclosures to the US Government

## SEMINAR REGISTRATION FORM

Please type or print clearly.

### ATTENDEE INFORMATION

Attendee's First Name \_\_\_\_\_

Attendee's Last Name \_\_\_\_\_

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Name for Certificate \_\_\_\_\_

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Seminar confirmation and payment receipt will be sent to this email address.

How did you learn about this seminar? \_\_\_\_\_

### TUITION

	If You Pay Before or On 14 AUGUST, 2020	If You Pay After 14 AUGUST, 2020
ITAR US Defense Trade Controls 14-15 SEPTEMBER 2020	<input type="checkbox"/> \$1375USD	<input type="checkbox"/> \$1495USD
EAR/OFAC Export Controls & Embargoes 16-17 SEPTEMBER 2020	<input type="checkbox"/> \$1375USD	<input type="checkbox"/> \$1495USD
OR register for BOTH Seminars 14-17 SEPTEMBER 2020	<input type="checkbox"/> \$2375USD	<input type="checkbox"/> \$2595USD

Add optional ECTI Export Compliance Professional (ECOP<sup>®</sup>) Certification Test  
See [www.LearnExportCompliance.com/ecop](http://www.LearnExportCompliance.com/ecop) for details

\$100 for ITAR or EAR/OFAC test; \$200 for BOTH: \$ \_\_\_\_\_

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**TOTAL AMOUNT ENCLOSED:** \$ \_\_\_\_\_

### PAYMENTS BY CREDIT CARD:

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### OR BY CHECK:

Make check payable to:  
ECTI, Inc.

**NOTE:** Mail checks to our address below. Our Tax ID: 26-1638450

### OR WIRE TRANSFER:

If you would like to pay by wire transfer, contact us for instructions.

jessica@learnexportcompliance.com  
Tel: +1 540 433 3977  
Fax: +1 540 433 3978

## HOTEL INFORMATION

SEMINAR HELD AT:

**Orchard Hotel Singapore**

442 Orchard Road  
Singapore 238879

Telephone: +65 6734 7766

Special guest room rate for seminar attendees\*\*:

\$238.00 standard single (inclusive of breakfast & internet access; exclusive of taxes and service charge)

\*\*Limited quantity - book early to ensure reduced rate!

\*\*The cost of accommodation is not included in the seminar tuition.

### TO BOOK A GUEST ROOM:

Call +65 6734 7766 and refer to Export Compliance Training Institute Group.

\* Electronic e-Manual and paper manual both included with seminar tuition at no additional charge.

**YOU SAVE up to \$395**  
if you sign up for both seminars

## SEMINAR DISCOUNTS

- ▶ Early Registration Discount for registrations received and paid by 14 AUGUST 2020!
- ▶ We also give discounts for multiple attendees from the same company, government entities, and companies participating in our Corporate Partnership Program. Please contact [jessica@learnexportcompliance.com](mailto:jessica@learnexportcompliance.com) for details, prior to registration.
- ▶ Discounts can be combined to a maximum discount of 20%.

## SEMINAR POLICIES

**Cancellation Policy:** A cancellation fee of \$100 will be charged if the cancellation is made up to 15 days prior to the seminar. No refunds will be provided after this date, but a credit voucher can be issued for 80% of the paid tuition which can be used at any Export Compliance Training Institute seminar within a 12 month period.

**Seminar Transfer Policy:** Transfers to another equivalent seminar are allowed with no penalty up to 10 days prior to the seminar. Transfers are allowed after that date, but a transfer fee of 20% of paid tuition will apply.

Fax, email, or mail this form to:

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Email: [jessica@learnexportcompliance.com](mailto:jessica@learnexportcompliance.com)



**EXPORT COMPLIANCE**  
TRAINING INSTITUTE

[LearnExportCompliance.com](http://LearnExportCompliance.com)

# US Export Controls

on Non-US Transactions in **SINGAPORE**:

A PRACTICAL GUIDE FOR NON-US COMPANIES

- ▶ **US ITAR Defense Trade Controls**  
14-15 SEPTEMBER 2020
- ▶ **EAR/OFAC Commercial & Military Export Controls & Embargoes**  
16-17 SEPTEMBER 2020

**Comprehensive and practical training on the recently reformed US ITAR, EAR, and OFAC regulations for Asia-Pacific and other non-US companies.**

US export controls have undergone significant revisions as a result of the Export Control Reform Initiative. Under this initiative, many military and defense items have moved from the USML (ITAR) to the CCL (EAR). The processes involved in complying with new licensing rules for these items are complex. Failing to follow the correct procedures can result in costly violations. This seminar will clarify the rule changes and offer practical advice for keeping your company compliant.

## SEMINAR PARTNERS



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[www.LearnExportCompliance.com/singapore2020](http://www.LearnExportCompliance.com/singapore2020)

### INSTRUCTORS WITH EXPERIENCE

ECTI staffs its seminars with instructors who are widely respected experts in the field of export compliance and have many years of experience in interpreting and applying the rules.

**SCOTT M. GEARITY** is a Principal of BSG Consulting, bringing over a decade of consulting, training, and corporate export compliance program management experience to bear for his clients. Mr. Gearity has substantial experience in military, dual-use, and commercial export controls. His clients have ranged in size from small start-ups to some of the world's largest companies, with a particular focus on the information technology, telecommunications, networking, and software industries. Mr. Gearity joined BSG from Microsoft Corporation, where he was based in Ireland and managed the company's export compliance program for Europe, the Middle East, and Africa. He continues to advise many non-US companies affected by US export controls. Mr. Gearity holds a Bachelor of Arts degree in international studies and economics from American University. He is a licensed US Customs Broker.



**JOHN R. BLACK** is a Principal of BSG Consulting and has been involved in US export and trade control matters since 1984. He advises US and foreign companies, law firms, and governments on US export controls and has earned a reputation as one of the leading experts in the field. From 1984-88 he worked for the US Commerce Department where he wrote the Export Administration Regulations (EAR) and interpreted it for government and industry. He uses his comprehensive knowledge of the US rules that impact military and commercial companies to help his clients stay in compliance without missing legitimate business opportunities. He has been a featured speaker at over 100 conferences around the world and has written numerous articles and several books on the subject. Mr. Black is a certified Export Compliance Professional (ECOP<sup>®</sup>) on both the EAR and the ITAR.



**TIMOTHY O'TOOLE** counsels and defends clients in white collar criminal matters, conducts internal corporate investigations, and represents potential witnesses and targets in government investigations at the law firm of Miller & Chevalier. Mr. O'Toole has been conducting and leading large-scale defense investigations for over 20 years. Although Mr. O'Toole has substantial experience in all areas of white collar practice, his main focus is on economic sanctions and export controls. Mr. O'Toole writes and speaks often about sanctions and export controls at venues and media outlets around the world. He is co-chair of the National Association of Criminal Defense Lawyers (NACDL) West Coast White Collar Crime Conference in Santa Monica and a past co-chair of the NACDL's White Collar Crime Committee.



Compliance with Reformed United States Export Regulations: ITAR, EAR & OFAC Embargoes  
**COMPREHENSIVE AND PRACTICAL TRAINING FOR NON-US COMPANIES**

