

## ABOUT THIS WORKSHOP

This workshop will assist foreign companies with their understanding of the compliance responsibilities related to reexports and retransfers of U.S. origin hardware, technology and software received from the United States or from other parties through USG authorizations, and the hiring of U.S. persons.

The workshop will identify key elements for foreign trade compliance programs including when Re-export and Re-transfer authorizations are required under the ITAR and EAR, what license exemptions or license exceptions are available, what are the required protocols for internally or externally managing U.S. export controlled commodities or technical data/technology, when U.S. Export rules do not apply and what records must be maintained.

Who should attend this important workshop? Export compliance managers, program managers, contract and subcontract administrators; and legal personnel

**Training conducted via live stream webinar using the ZOOM platform  
7 AM Eastern to 11 AM Eastern**

# Registration

**Fee: \$1225.00**

*(Fee includes course materials, handouts and ITAR)*

Name \_\_\_\_\_

Title \_\_\_\_\_

Company Name \_\_\_\_\_

Address to deliver workshop materials to:  
\_\_\_\_\_

City, State/Province , Zip, \_\_\_\_\_

Country \_\_\_\_\_

Email \_\_\_\_\_

Phone \_\_\_\_\_

**Sign up via paypal on our website**  
[www.fdassociates.net](http://www.fdassociates.net)

**Email Registration form to**  
[info@fdassociates.net](mailto:info@fdassociates.net)

**Attendees may switch to another class up to one week prior to the beginning of training or request another person to take the class, but no refunds will be provided.**

**Spread the knowledge!**  
**Register three personnel from the same company, the fourth can attend at no cost.**

**FD Associates, Inc.**  
**7918 Jones Branch Drive, Suite 540**  
**McLean, VA 22102**  
**United States**



**FD ASSOCIATES, INC.**

**U.S. Export Controls From a Foreign Perspective**

**Advisors in Export Compliance and Licensing**

**November 2—5, 2021**

Are you a foreign company purchasing ITAR controlled or EAR controlled material (commodities with ECCNs) from U.S. Suppliers?

Do you partner with U.S. companies and exchange technical data and technology?

Do you hire U.S. nationals to work at your company?

**If you answered YES, this workshop is for you.**

Over 4 days we will review U.S. export controls responsibilities for foreign companies purchasing U.S. origin commodities, receiving technical data or technology from U.S. companies or other parties and companies hiring U.S. persons.

We will review the general principals applicable to the International Traffic in Arms Regulations (ITAR) and the Export Administration Regulations (EAR) and discuss in more detail each set of regulations requirements for foreign companies. We will discuss best practices to aid in achieving compliance and what to do in the event of a violation of the ITAR or EAR.

The program will include a discussion for foreign companies under contract with the USG or subcontract with primes related to DFARS Cyber security obligations.

# WORKSHOP AGENDA

November 2, 2021

## Overview of the International Traffic in Arms Regulations

### Overview of U.S. Export Control Laws & Regulations

- Key Facts
- Who, What, Where

### How is U.S. Export Jurisdiction determined?

- ITAR
- EAR
- What's on the USML
- What's on the CCL
- Understanding "Specially Designed"

### Key ITAR Terminology and Concepts

- Exports
- Release
- Reexports
- Retransfer
- What is Not An Export or Reexport
- Access Information
- Defense Service
- Technical Data
- Public Domain
- Defense Article
- Basic, Intermediate & Depot Level Maintenance

Agenda subject to change

November 3, 2021

## Overview of the International Traffic in Arms Regulations

### Overview of ITAR Licenses & Authorizations

- Form Licensing - DSPs
- Defense Service Licensing - TAAs/MLAs
- Warehousing/Distribution Agreement
- Roles of the parties
- ITAR Exemptions for foreign parties
- ITAR Exemptions U.S. exporters may use
- Foreign Company Obligations Under the ITAR
- DECCS
- Reexport/Retransfer Obligations
- Company Name and Address Changes
- Hiring U.S. Persons
- Recordkeeping
- Eligibility
- Compliance Programs/Audits/Violations/Corrections
- Fines and Penalties

Agenda subject to change

# WORKSHOP AGENDA

November 4, 2021

## Managing your US Export Authorizations

- Export Best Practices
- Managing ITAR TAAs & MLAs
- Responsibilities For Foreign Companies Under TAAs/MLAs
- Dual/Third Country Nationals Requirements
- Sublicensing Under ITAR Agreements
- Managing ITAR Data/Derivative Data
- Recordkeeping
- Program Management – Managing Expectations and Obligations
- Program Manager Key Considerations
- DFARS Cybersecurity obligations
- Foreign Company Compliance Plans
- Other things you want to know..

## Compliance with US Department of Treasury OFAC Regulations

- Overview of OFAC Regulations
- Explanation of How OFAC Regulations Impact Foreign Companies
  - US Owned Enterprises
  - Foreign Entities Without US Ownership or Control
- US Persons In Management Role/Board of Directors
- Steps Required to Ensure Compliance With OFAC Requirements

Agenda subject to change

November 5, 2021

## Overview of the EAR Export Administration Regulations

### Overview of the EAR

- Scope of The EAR
- Commerce Control List
- Key Terms
- Understanding An ECCN
- How To Read The Country Chart
- Procurement from the U.S. –
  - What Is Important
- EAR Licensing
- EAR License Exceptions
- EAR License Exceptions
- Reexport & Transfer
- De Minimis
- First Incorporation Rule
- Second Incorporation Rule
- Inventory controls
- EAR99– Responsibilities
- Other things you should know
- General Prohibitions
- Record Keeping
- Compliance Programs/Audits/ Violations/Corrections
- Fines and Penalties

## Foreign Direct Product Rule

- Key considerations for manufacturing facilities using U.S. manufacturing equipment and technology
- The Huawei effect

Agenda subject to change

# ABOUT FD ASSOCIATES

FD Associates specializes in providing guidance to small and medium size companies in licensing and compliance with the International Traffic in Arms Regulations (ITAR) and the Export Administration Regulations (EAR).

We offer assistance with:

- Commodity Jurisdiction requests
  - EAR classification requests
  - State Department Registration
- Preparation of EAR & ITAR license applications and ITAR agreements
- Tracking and management of the license review process
  - ITAR & EAR Training
- Compliance procedures & processes
  - Voluntary Disclosures
    - EEI filings
    - Assessments
    - Audits
    - CFIUS reviews
- Network infrastructure review/compliance to US export regulations

FD Associates' staff are highly knowledgeable in the requirements of the ITAR, EAR, OFAC, FTR and other US regulations that impact defense and commercial companies.

We have extensive experience in the licensing of a variety of equipment to a broad range of destinations under both the ITAR and the EAR can offer practical guidance and advice.

We are available to provide company specific training on the requirements of the ITAR, EAR, FTR and OFAC. We can assist with audits and procedures to help companies ensure compliance with U.S. export regulations.

Contact us at [703-847-5801](tel:703-847-5801) or email [info@fdassociates.net](mailto:info@fdassociates.net) for more information on how we can assist your company.

## ABOUT THE PRESENTERS

### Jenny Hahn President

Since joining FD Associates in 1992, Jenny has assisted exporters with a variety of licensing and compliance requirements including customs detentions and seizures.

Through working with FD Associates clients, Jenny has gained invaluable expertise and experience in various technologies including aircraft, parts and components, night vision equipment, satellite parts and components, ballistic/armored equipment, firearms/ammunition, propulsion systems for missiles, Intelligence Surveillance and Reconnaissance equipment and various weapon systems.

Jenny is the lead trainer at FD Associates. She has conducted numerous workshops on the ITAR and EAR and for many years provided training on the Export Control Reform impact to company policies & procedures. Jenny assists companies in establishing compliance programs and is the company lead on audits and on-site training in the requirements of the ITAR and EAR.

### Keil J. Ritterpusch, ESQ., Senior Compliance Associate

Keil J. Ritterpusch, Esq. joined FD Associates in February 2015. Keil has more than 15 years of experience in trade compliance, having run his own law practice handling trade compliance and other legal matters for clients in a wide range of industries, including aerospace, defense, and high technology sectors, and having worked as the Director of Import and Export Compliance for Textron Systems.

Keil provides expertise to clients on export licensing, technology transfers, export jurisdiction and classifications, export compliance assessments, export compliance audits and investigations, and the design, development, and implementation of tailored export compliance programs.