



33rd Annual Executive Seminar Series on International Trade

Massachusetts Small Business Development Center Network Massachusetts Export Center

presents



Spring 2023

Partners for Trade

Seminar and Registration Guide

In Collaboration With

U.S. Small Business Administration | MA Office of Business Development
Isenberg School of Management | University of Massachusetts Amherst
MassDevelopment | Massachusetts Office of International Trade & Investment
U.S. Department of Commerce



Maura Healey
Massachusetts Governor

The Massachusetts Export Center is committed to helping the state's businesses succeed in today's global marketplace.

The world is your market. Take the next step. Join us as a partner for trade.



Robert H. Nelson
SBA District Director



Register online at www.mass.gov/export



Pre-registration is required for all events. **Payment** via credit card is due at the time of registration.

Cancellation/Refund Policy: If you cancel your registration at least 48 hours prior to the event, you will be entitled to a refund minus a \$10 processing fee. No refund will be given on notifications received after that time or in any no-show situation. All cancellation and refund requests must be submitted via email to pft@msbdc.umass.edu. The Export Center reserves the right to cancel or reschedule a seminar due to insufficient enrollment or other circumstances. In the case of cancellation, registration fees will be refunded.

No Shows: Due to the costs we incur as a result of people who register for seminars and do not attend, the Massachusetts Export Center will bill unpaid registrants for the full cost of the event unless cancelled 48 hours in advance of the event. Credit cards will not be refunded in any no-show situation.



UMassAmherst

Isenberg School
of Management



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PARTNERS FOR TRADE CALENDAR

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Although accurate at press time, webinars may be added, rescheduled or cancelled.

*For the most up-to-date information,
please visit our website at www.mass.gov/export.*

Program Descriptions

Russia Sanctions & Export Controls Update: One Year Later

A full year after Russia's invasion of Ukraine, sanctions and export controls continue to steadily tighten, with additional, significant sanctions and export controls issued as recently as February 24, 2023. The U.S. Department of Treasury Office of Foreign Assets Control (OFAC) has sanctioned the vast majority of the Russian banking sector, making it difficult to facilitate payment in Russia, even for otherwise-legal transactions. Likewise, the U.S. Department of Commerce Bureau of Industry and Security (BIS) has steadily tightened export controls. While Commerce Control List items have been largely export-controlled for both Russia and Belarus for some time now, restrictions on EAR99 items destined for Russia and Belarus have grown significantly, with a complete restructuring and expansion of the lists containing restricted items as part of the February 24 rule.

Join us to hear about these and many other changes impacting companies that are directly or indirectly doing business in Russia, Belarus and beyond. The webinar will also address EU sanctions against Russia that will impact companies with subsidiaries or other business activities in the EU. The webinar will also provide guidance on screening and due diligence best practices, banking and other executional challenges, new illegal diversion risks, and enforcement trends.

Speakers include:

- Alexandra Lopez-Casero, Partner — Nixon Peabody
- Christopher Griggs, Partner — Nixon Peabody
- Matthias Merz, Managing Director — AWA Foreign Trade Academy

Date: Friday, March 24, 2023

Time: 12:00 – 2:00 p.m. EDT

Location: Online

Cost: No charge

Country of Origin Determination and Management

Determining the country of origin of a product is important for assessing import duties, qualifying for trade preference programs, and complying with country of origin labeling requirements and government procurement regulations. While country of origin determination has always been a critical step for smooth customs clearance and accurate assessment of duty rates, in today's high-stakes tariff environment, effective country of origin determination and management can make a significant difference in aggregate landed costs. Moreover, in today's complex global supply chain, where products can be sourced and processed across multiple countries, country of origin determination is not a straightforward process.

Join us for this webinar to learn about the rules for determining country of origin and related concepts, such as substantial transformation and tariff shifts. We will cover origin determination under free trade agreements, as well as general customs rules for origin determination. We will also discuss tariff management strategies to lawfully manipulate origin as a way to reduce or avoid tariffs.

Speaker:

- Matthew Bock, Esq., Managing Partner — Bock Trade Law

Date: Thursday, April 6, 2023

Time: 12:00 -1.30 p.m. EDT

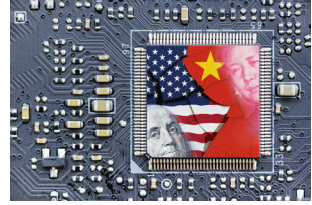
Location: Online

Cost: \$25 / no charge for Compliance Alliance members



The Disruptive Technology Strike Force: A New Era in Export Enforcement

Building upon sweeping export enforcement reforms introduced last year, the U.S. Departments of Justice and Commerce launched the Disruptive Technology Strike Force in early 2023. The strike force will bring together key federal enforcement authorities to protect critical technological assets from being acquired or used by nation-state adversaries, while also strengthening supply chains and targeting illicit actors. The strike force aims to prevent nation-state adversaries such as the People's Republic of China, Russia, Iran, North Korea and others from acquiring U.S. advanced technologies for malign purposes, such as enhancement of military capabilities or support of mass surveillance programs that can enable human rights abuses. In addition to the Justice Department's National Security Division and the Commerce Department's Bureau of Industry and Security (BIS), strike force members include the Federal Bureau of Investigation (FBI), Homeland Security Investigations (HSI) and 14 U.S. Attorneys' Offices across the country, including the Massachusetts district office.



With the creation of this strike force, exporters can expect to see significant increases in administrative export enforcement cases, as well as an increase in cases being referred for criminal prosecution. Exporters and developers of advanced technologies, such as supercomputing and exascale computing, artificial intelligence (AI), advanced manufacturing equipment and materials, quantum computing and biosciences should be particularly vigilant with export compliance protocols in this heightened enforcement and global threat environment.

Join us for an in-person program to hear directly from our local Disruptive Technology Strike Force team in Massachusetts. You will learn about the strike force's goals, priorities and tactics to help you with management of your export compliance operations. There will also be time for coffee and networking to connect directly with export compliance practitioners from throughout the region as well as with local members of the strike force team.

Speakers include national and local leaders from the strike force agencies:

- Scott Anderson, National Coordinator - Disruptive Technology Strike Force — U.S. Department of Commerce; Special Agent in Charge (Acting) — U.S. Department of Commerce Bureau of Industry and Security
- Rashel Assouri, Special Agent in Charge — U.S. Department of Commerce Office of Export Enforcement
- David Farrell, Assistant Special Agent in Charge — Federal Bureau of Investigation

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- Michael Krol, Special Agent in Charge — U.S. Department of Homeland Security, Homeland Security Investigations
- David Lim, National Coordinator - Disruptive Technology Strike Force — U.S. Department of Justice; Deputy Director - Task Force KleptoCapture — U.S. Department of Justice; Acting Deputy Chief, Export Control & Sanctions, Counterintelligence & Export Control Section, National Security Division — U.S. Department of Justice
- Rachael Rollins, United States Attorney — District of Massachusetts

Date: Friday, April 28, 2023

Time: Registration & Networking 9:30 a.m.; Program 10:00 a.m. to 12:00 p.m. EDT

Location: Teradyne, Inc., 600 Riverpark Drive, North Reading, MA

Cost: \$25 / no charge for Compliance Alliance members

Importing Food Products into the U.S.: FDA Regulations and Best Practices for Customs Clearance

Are you importing food or perishables? Or, are you interested in starting a food import business? Navigating FDA regulations and Customs requirements for bringing food and perishables into the United States and maintaining a secure supply chain can be overwhelming, even for experienced importers.

Join us to learn the basics about the requirements for U.S. import of food products, maintaining compliance and best practices for smooth Customs clearance. This program will feature an import specialist from the Food and Drug Administration (FDA), who will provide an overview of the Food Safety Modernization Act (FSMA), enforcement of the Foreign Supplier Verification Program (FSVP), registration of food facilities, Prior Notice and food security best practices.

This program will also feature a Customs attorney specializing in FDA regulations, who will discuss the logistics of shipping food and perishables, U.S. Customs requirements for formal and informal entries, and working with your Customs Broker to avoid issues with clearing your goods. We hope you will join us to hear from these experts - bring your questions!

Our speakers will be:

- Jennifer Diaz, President — Diaz Trade Law
- Selina Mata, Supervisory Consumer Safety Officer Office of Enforcement and Import Operations — U. S. Food and Drug Administration

Date: Friday, June 9, 2023

Time: 12:00 – 1:30 p.m. EDT

Location: Online

Cost: No charge

Foreign-Produced Direct Product Rules Revisited

The Foreign-Produced Direct Product Rule (FDPR) was first implemented in 1959 to control transfers of foreign manufactured items made with U.S. technology for national security purposes, and the Rule remained largely stagnant until recent years. Today, the FDPR has become a go-to tool for regulators to extend the reach of U.S. export controls far beyond our borders to cripple foreign production of and access to sensitive technologies. This trend famously began in 2020, when the FDPR was used to choke off Huawei's supply of foreign-produced semiconductors. In early 2022, the FDPR was further expanded to encompass Russian and Belarussian entities and military end users, blocking access to a broad range of items, in an attempt to limit Russia's military capabilities. Late 2022 saw perhaps the most impactful use of the FDPR, when a pair of companion rules was issued to significantly restrict China's ability to access and produce advanced computing, semiconductor and supercomputing technology. Most recently, in 2023, the FDPR was again used to target Russia's military capabilities, adding restrictions on certain foreign-produced EAR99 items and adding restrictions against Iran, in an attempt to curb Iran's production of unmanned aerial vehicles (UAVs, or drones) used by Russia.

Join us to learn about the expanded controls under the FDPR that are significantly impacting U.S. and foreign companies that are directly or indirectly doing business with China, Russia, Belarus and Iran. You will learn about how federal regulators are strategically using the FDPR, with an outlook for what may be next, including enforcement—April of 2023 saw the largest standalone administrative penalty ever issued by the Bureau of Industry and Security, which was for a FDPR violation. You will also gain insight on compliance risk mitigation strategies for doing business in this complex, high-stakes and dynamic environment.

Our speakers will be:

- Josh Gelula, Counsel — Hogan Lovells
- Ajay Kuntamukkala, Partner — Hogan Lovells

Date: Friday, May 12, 2023

Time: 12:00 – 1:30 p.m. EDT

Location: Online

Cost: \$25 / no charge for Compliance Alliance Members

Export Open House

There is a broad range of resources available to help companies with their international business endeavors. Many of these resources are government-funded and offered to businesses at little or no cost. Services are provided at every stage of the export development process — from export market assessment, to day-to-day export operational assistance, to complex export regulatory compliance support, to global sales and marketing development, to financing of global trade transactions.



This event will feature brief presentations by government-funded export assistance organizations and agencies. Following the briefing, participants will have the opportunity to network and meet one-on-one with government official experts to address specific export questions and challenges.

Join us and take advantage of having export resources at your fingertips!

Speakers include:

- Melissa Clary, Business Development Manager — MA Office of International Trade & Investment
- Katherine Herer, Vice President, Operations — Charles River Regional Chamber of Commerce
- Paula Murphy, Director — Massachusetts Export Center, MSBDC Network
- James Paul, Director, Boston Office — U.S. Department of Commerce, Commercial Service
- Joseph Raycraft, Export Finance Manager — U.S. Small Business Administration

Date: Wednesday, June 7, 2023

Time: Registration 9:30 a.m.; Program 10:00 a.m. - 12:00 p.m. EDT

Location: Shaw Hall, Mount Ida Campus of UMass Amherst, 100 Carlson Avenue, Newton, MA

Cost: No charge, but pre-registration is required

Cosponsored by the Charles River Regional Chamber of Commerce

China Export Controls: A Look Back and a Look Ahead

China has been the target of some of the most aggressive and complex U.S. export controls and sanctions in recent history. China is repeatedly identified by federal authorities as a U.S. strategic adversary, and restrictions on cross-border trade and investment between the U.S. and China have rapidly escalated.



Examples of recent U.S. actions include:

- Heavy reliance on the Entity List to sanction Chinese parties
- Expansion of the Foreign Produced Direct Product Rule to target China's advanced computing and semiconductor manufacturing capabilities
- Implementation of end-use and end-user restrictions against China's military and military intelligence operations
- Restrictions against Chinese access to and investment in U.S. advanced technologies; and more

The outlook for 2023 and beyond indicates that these restrictions are expected to escalate even further – Biden Administration officials and congressional policymakers regularly cite the intent to impose further controls on trade and investment with China, with major enforcement initiatives and imminent outbound foreign investment controls targeting emerging and foundational technologies anticipated.

Join us to hear about the state of U.S. export controls, sanctions and foreign investment controls targeting China, with an outlook for anticipated developments in 2023 and beyond. Expert speakers will provide a view from “inside the beltway” on the drivers behind U.S. trade policy with China as well as a review of regulatory developments and their impact on global trade operations for U.S. businesses. You will also gain insight into China's response to U.S. regulatory actions, along with tips for navigating the complex Chinese business landscape to support your compliance efforts.

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Speakers include:

- Jeannette Chu, Vice President, National Security Policy — National Foreign Trade Council
- Kevin Cuddy, Government & Regulatory Affairs Executive in the Export Regulation Office — IBM
- Dr. Scott Kennedy, Trustee Chair in Chinese Business and Economics — Center for Strategic and International Studies

Date: Thursday, June 15, 2023

Time: 12:00 - 2:00 p.m. EDT

Location: Online

Cost: No charge

Cosponsored by the National Foreign Trade Council (NFTC)



Partners and Cosponsors

The **Massachusetts Export Center** (www.mass.gov/export), part of the Massachusetts



Small Business Development Center Network, recognizes the need to make export services easily accessible to companies of all sizes, and it serves as the state's one-stop resource for export assistance. The Massachusetts Export Center offers a wide range of targeted, customized services to Massachusetts businesses at any stage in the export process. Whether you are a small business just thinking about exporting or an experienced exporter, the Massachusetts Export Center stands ready to help with services suited to your needs. Massachusetts companies can learn more about the Massachusetts Export Center by visiting our website.

The **Massachusetts Small Business Development Center Network** (www.msdbc.org),



through the **Massachusetts Export Center**, offers small to medium sized Massachusetts companies business advice on assessing export opportunities, market research analysis and educational programs through the *Partners for Trade* executive seminar series. Assistance includes counseling on the elements of an international business plan, assisting in the development of an international marketing strategy, providing market research reports and trade leads, publishing various export guides and organizing a variety of export training programs. International trade advising services are available statewide.



MASSDEVELOPMENT



MOITI
Massachusetts Office of International Trade & Investment



The **Massachusetts Office of Business Development** works with the business community to help create, retain and attract jobs throughout the Commonwealth by offering programs that stimulate economic growth and development. The office is committed to working directly with the business community to make Massachusetts an even better place to do business.

MassDevelopment provides financial tools and real estate expertise to stimulate economic growth across the state of Massachusetts by providing real estate development and financial services through its four core lines of business: Real Estate Development, Investment Banking, Economic Development Lending and Community Development. The agency's lines of business are designed to support a project at any stage — from concept to development.

The **Massachusetts Office of International Trade & Investment** carries out the following international economic activities: attracting foreign companies to invest in Massachusetts; handling foreign protocol; and focused export promotion through international trade show participation.

The **U.S. Export Assistance Center** offers a full range of federal export programs and services under one roof, including counseling, market research, trade contact facilitation, international trade promotion events, and trade finance through the Export Working Capital Loan Guarantee Program. The U.S. Export Assistance Center combines the export marketing resources of the **U.S. Department of Commerce** and the export finance resources of the U.S. Small Business Administration.

The **U.S. Small Business Administration** is dedicated to providing quality, customer-oriented, full-service programs and accurate, timely information to the entrepreneurial community. SBA offers a number of export information assistance programs such as counseling, marketing research, publications and workshops. SBA also offers financial assistance through the regular business loan and the Export Working Capital Program.

The Massachusetts Small Business Development Center (MSBDC) Network provides free, high quality, one-to-one management and technical business advice and educational programs at a reasonable cost to potential and existing small business entrepreneurs throughout the Commonwealth.



The MSBDC has three integrated product lines: business advisory services, international trade assistance and government contracting/SBIR.

Successful entrepreneurs continually seek ways to improve the management and operation of their business, often seeking outside advice to help with particular challenges. Studies consistently show that Massachusetts citizens receive a strong return on their investment by utilizing the services of the MSBDC Network. MSBDC clients outperform other businesses in the state in average sales and job growth.

The MSBDC is a partnership of the U.S. Small Business Administration, the Massachusetts Office of Business Development, and a consortium of higher educational institutions led by the Isenberg School of Management at the University of Massachusetts Amherst, and including Clark University and Salem State University.

State Office413-545-6301

Business Advising Centers

- Berkshire Regional Office413-499-0933
- Central Regional Office508-793-7615
- Greater Boston Regional Office617-243-1386
- Government Sales Advisory Program508-870-3193
- Massachusetts Export Center 617-973-6610
- Northeast Regional Office978-542-6343
- Procurement Technical Assistance Center413-545-6303
- SBIR Program774-203-9972
- Southeast Regional Office508-673-9783
- Western Regional Office413-577-1768

Visit our website at www.msbdc.org

Compliance Alliance



The Compliance Alliance is a special initiative of the Massachusetts Export Center designed to help the state's businesses enhance their export compliance and global trade competitiveness.

The Compliance Alliance provides a forum for exporting firms to network, share best practices and stay current on export regulatory compliance issues.

Membership benefits include:

Conferences and seminars - In-depth training across a broad range of export regulatory compliance and operational issues. Speakers include exporters, law firms, consulting firms and representatives from government export regulatory authorities. Compliance Alliance members receive special discounts at compliance-related conferences and training programs.

Online Resources - Member directory access so you can connect with other members of the Compliance Alliance; Export compliance resource library and databank that includes content provided by members; and a Job Board where members can access and post job listings for local positions related to international regulatory compliance, export/import operations and other positions related to global trade.

www.mass.gov/export/compliance



The mission of the Massachusetts Export Center is to help companies throughout the Commonwealth achieve success in global markets, thereby contributing to economic growth in the state. Our goal is to meet the complex needs of exporters by developing and providing targeted, high-impact services delivered through a statewide network of international trade professionals.

The Massachusetts Export Center offers a range of targeted, customized services to Massachusetts businesses at any stage in the export process.

- Export Counseling and Technical Assistance
- International Market Research and Assessment
- International Business Development Assistance
- Export Regulatory Compliance Assistance
- Compliance Alliance
- Export Training Programs
- Export Publications

www.mass.gov/export



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Recognizing the need to make export services easily accessible to companies of all sizes, the Massachusetts Export Center serves as the state's complete resource for export assistance.

The Massachusetts Export Center offers a wide range of targeted, customized services to Massachusetts businesses at any stage in the export process. Whether you are a small business just thinking about exporting or an experienced exporter, the Massachusetts Export Center stands ready to help with services suited to your needs.

For further information, visit our website at **www.mass.gov/export**.



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