



30th Annual Executive Seminar Series on International Trade

**Massachusetts Small Business Development Center Network
Massachusetts Export Center**

presents



Early 2020

Partners for Trade

Seminar and Registration Guide

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In Collaboration With

U.S. Small Business Administration | MA Office of Business Development
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U.S. Department of Commerce



Charles D. Baker, Jr.
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



Preregistration is required for all events. **Payment** via credit card is due at the time of registration. Credit cards are not accepted at the door.

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.

** This does not apply to the 2020 BIS training - please see program description on pages 8-9 for BIS policies.

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.



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Program Descriptions

OFAC's Enforcement Cases of 2019

This webinar is available in the training archives on our website.

2019 was the most active enforcement year in more than a decade measured by aggregate penalties. Enforcement actions increased from 2018, and more non-financial companies found themselves in OFAC's crosshairs than in the past. One particular focus area was sanctions enforcement involving M&A transactions, in particular sanctions violations committed by acquired foreign companies post-closing. Notably, in most cases, the U.S. acquirer conducted preinvestment due diligence sufficient to identify the target's dealings with sanctioned countries, and took affirmative steps to try to terminate those dealings. Notwithstanding these efforts, OFAC imposed penalties because the acquired companies continued to violate U.S. sanctions. Following these enforcement actions, acquirers are firmly on notice that OFAC expects them to supplement robust preacquisition diligence with robust post-acquisition monitoring, to ensure that acquired companies comply with U.S. sanctions.

Other 2019 enforcement actions involved, for example:

- Imports of materials and other products that originated in embargoed countries
- Violations committed by non-U.S. subsidiaries
- Screening issues and deficiencies
- Russia sanctions violations, including OFAC's aggregate 50% rule
- High-value settlements targeting financial institutions
- Blocked vessels
- Travel companies and travel insurance
- Debt assignment and collection

Speakers:

- Alexandra Lopez-Casero, Partner — Nixon Peabody LLP
- Robert Fisher, Counsel — Nixon Peabody LLP

Date: Thursday, January 30, 2020

Time: 12:00 -1:00 p.m. EST

Location: Webinar

Cost: No charge

CFIUS Update: Implementation of New Final Rules

This webinar is available in the training archives on our website.

The Committee on Foreign Investment in the U.S. (CFIUS) recently published final rules implementing sweeping changes to the Committee's jurisdiction and review process. The regulations become effective on February 13, 2020. The new rules further expand the set of transactions subject to CFIUS review, including a range of non-controlling investments, and affect U.S. businesses of all sizes.



CFIUS' expanded jurisdiction focuses on "TID businesses," meaning businesses involved with: Critical Technology, Critical Infrastructure and Sensitive Personal Data. Filings for some investments will be mandatory; for other investments, filings may be advisable but not mandatory; and for many transactions, CFIUS risk allocation language should be included, even if filings are not warranted.

Join us for this timely webinar to learn about these imminent rules and major changes that will be of concern to any U.S. business considering accepting foreign funds through a minority investment, majority investment, joint venture or acquisition.

Speakers:

- Stephen Heifetz, Partner — Wilson Sonsini Goodrich & Rosati
- Melissa Mannino, Of Counsel — Wilson Sonsini Goodrich & Rosati

Date: Wednesday, February 12, 2020

Time: 12:00 - 1:00 p.m. EST

Location: Webinar

Cost: No charge

CMMC Ready: Cybersecurity Strategies for Exporters

This webinar is available in the training archives on our website.

For companies doing business with the U.S. Department of Defense (DoD), this year brings major changes in cybersecurity requirements, signaling a sea change for every company on a DoD supply chain.



On January 31, the DoD released the Cybersecurity Maturity Model Certification (CMMC), which requires every prime and subcontractor to have their cybersecurity controls audited and certified in order to win new business. As a sort of enforcement mechanism for the DFARS 252.204-7012 clause — which will be modified this year to reflect the new rules — CMMC will force companies to fully implement cybersecurity controls to protect Controlled Unclassified Information on their networks. In this session, we will parse out what to expect from this evolving program and offer strategies on how to prepare for the changes.

Exporters subject to the International Traffic in Arms Regulations (ITAR) must also note that, on March 25, an ITAR amendment will go into effect, creating a definition of “activities that are not exports, reexports, retransfers, or temporary imports.” ITAR will receive a long-awaited encryption carve-out that, similar to EAR, deems that data protected by end-to-end encryption does not constitute an export, even if it travels across foreign communications infrastructure.

Participants will learn: What to expect from the new CMMC program and how to prepare; How the DFARS 252.204-7012 rule will change to incorporate CMMC and a new cybersecurity confidence rating system; and What is changing this year in ITAR encryption controls and how it affects exporters.

Speakers:

- Ryan Heidorn, Managing Partner — Steel Root
- Alex Major, Partner and Co-Leader, Government Contracts and Export Controls Practice — McCarter & English, LLP

Date: Thursday, February 27, 2020

Time: 12:00 - 1:00 p.m. EST

Location: Webinar

Cost: No charge

Complying with the OFAC 50% Rule

This webinar is available in the training archives on our website.

Compliance with the Treasury Department's Office of Foreign Assets Control (OFAC) "50% Rule" is one of the biggest global trade compliance challenges facing businesses today. The Rule was first introduced in 2008 when OFAC issued guidance restricting U.S. persons from conducting business with entities that are owned 50% or more by a sanctioned party.

The Rule was enhanced in 2014 to restrict entities that are owned by multiple sanctioned parties, directly or indirectly, with an aggregate interest of 50% or more. And in recent years, OFAC has begun to enforce compliance with the Rule, issuing financial penalties even in "non-egregious" cases involving voluntary self-disclosure.

With the increased use of sanctions and enhancements to the Specially Designated Nationals (SDN) List under the Trump Administration, combined with opacity in obtaining corporate ownership information in high-risk markets, such as Russia, many U.S. businesses engaged in global trade struggle to ensure that their operations are truly compliant with the 50% Rule.

Join us to learn specifics about the 50% Rule, including affected sanctioned parties, ownership restrictions, and the implication of certain grey areas, such as entities that may be controlled, but not owned, by blocked parties. This webinar will also review best practices and tools for compliance, including risk assessment, screening and due diligence policies, use of end user statements, and other strategies for managing risk.

Our speaker will be Joshua Shrager, senior vice president at Kharon.

Date: Wednesday, March 11, 2020

Time: 12:00 - 1:00 p.m. EST

Location: Webinar

Cost: Free



Incoterms® 2020 Rules

Incoterms® provide internationally-accepted definitions and rules of interpretation for the most common commercial terms used in contracts for the global sale and transfer of goods. The terms help traders to avoid costly misunderstandings by clarifying the tasks, costs and risks involved in the delivery of goods from sellers to buyers worldwide.

The new Incoterms® 2020 rules came into force on January 1, 2020, and the revision incorporates changes in both substance and presentation of the Incoterms®.

If you are an exporter, importer, international sales or logistics personnel, or anyone who works with international trade documentation and compliance, you should not miss this program. Our speakers will provide an overview of the new Incoterms®, discuss how to use them, and implement them to your advantage.

Speakers:

- James Mulvehill, Senior Manager, T&C Leader - New England — KPMG Trade & Customs
- Ben Meyer, Senior Associate — KPMG Trade & Customs (Washington, DC)
- Mitch Gargosh, Associate — KPMG Trade & Customs (Atlanta, GA)

Date: Thursday, April 16, 2020

Time: 12:00 - 1:15 p.m. EST

Location: Webinar

Cost: \$35 / no charge for Compliance Alliance members



Powering Your Exports: A Program for Manufacturing and Tech Companies

If you are a manufacturing or technology company in Massachusetts, you should be connected to the global market. Many successful exporters derive more revenue from outside the US than from within it. How do they do it? What steps can you take to do the same? And how can you build export operations that are both effective and compliant?



This program is about taking your sales and operations to the next level — we'll discuss the steps to take for international expansion, implementation of export operations, and some of the potential pitfalls to be avoided. We'll also review the many government resources, including grants and other supports, that are available to help supercharge your exports!

Speakers include:

- Carlos Hernandez, District International Trade Officer — U.S. Small Business Administration
- Paula Murphy, Director — Massachusetts Export Center
- Kathleen Kinahan-Newell, Trade Compliance Manager — Massachusetts Export Center
- James Paul, Director of Boston Office — U.S. Department of Commerce Commercial Service

Date: Friday, May 8, 2020

Time: Registration 9:30 a.m.; Program 10:00 - 11:30 a.m.

Location: Harvard Ed Portal, 224 Western Avenue, Allston

Cost: No charge



Complying with U.S. Export Controls

This two-day program is led by BIS's professional counselling staff and provides an in-depth examination of the Export Administration Regulations (EAR). The seminar will also feature guest speakers from the BIS Office of Export Enforcement; the U.S. Census Bureau; and the U.S. Department of Treasury, Office of Foreign Assets Control.

The program will cover the information exporters need to know to comply with U.S. export control requirements under these regulations. We will focus on what items and activities are subject to the EAR; steps to take to determine the export licensing requirements for your item; how to determine your export control classification number (ECCN); when you can export or reexport without applying for a license; Automated Export System (AES) procedures and requirements; sanctions programs; Export Compliance Program (ECP) concepts; and real life examples in applying this information. Presenters will conduct a number of "hands-on" exercises that will prepare you to apply the regulations to your own company's export activities. This one-of-a-kind program is well suited for those who need a comprehensive understanding of their obligations under the EAR.

The instructors are experienced export policy specialists, and enforcement personnel from BIS's field offices. This seminar will also include guest speakers from the U.S. Census Bureau and the U.S. Department of Treasury, Office of Foreign Assets Control. The instructors will be available during the seminar to answer your questions.

Dates: Tuesday, June 23 & Wednesday, June 24, 2020

Time: Registration 7:30 a.m.; Program 8:30 a.m. - 5:00 p.m.

Location: Wyndham Boston Beacon Hill Hotel, 5 Blossom Street, Boston

Cost: \$575 per person

Exhibitor Opportunities Available - Please visit our website for details.

Important Information:

Cancellation and Refund Policy for BIS Training: The registration fee is non-refundable after June 8, 2020 at 5:00 p.m. Cancellations must be submitted via email to pft@msbdc.umass.edu.

Compliance Alliance members attending any BIS training in Boston from June 23-25, 2020 will be credited \$25 per person in the FY2021 Compliance Alliance membership renewal invoice.

Parking Information: The Wyndham Boston Beacon Hill does not have its own parking garage, but it does offer valet parking. The hotel offers ease of unloading and loading luggage at the front door, as well as unlimited in and out privileges. Self-parking is available, and fees must be paid directly to the garage via electronic cashier each time a vehicle departs the structure. Parking fees start at \$48 per vehicle.

Hotel Reservations: The rate is \$299/night for June 22-25, 2020. Please reference the "University of Massachusetts" when making the hotel room reservations. For assistance with shoulder nights or if you require additional information, contact the hotel.

How to Build an Export Compliance Program

Developing and maintaining an export compliance program is highly recommended to ensure that export transactions comply with the Export Administration Regulations (EAR), and to prevent export control violations. This one-day workshop provides an overview of the steps a company may take to implement an internal Export Compliance Program.

Agenda topics include guidance on how to establish an Export Compliance Program, strategies to enhance your company's compliance program, how to avoid common compliance errors, and how to build a solid framework for your company's compliance program. This program includes small group discussion, hands-on exercises, compliance peer networking, and provides a written example of an export compliance program as well as the Office of Exporter Services January, 2018 revised Export Compliance Guidelines to assist in developing your compliance program.

Note: The information presented in this program is not a legal requirement of the Export Administration Regulations. It is intended to give informational advice and guidance based on industry best practices in the field of compliance. Recommended prerequisite: Complying with U.S. Export Controls or equivalent experience.

The instructors are experienced export policy specialists, engineers, and enforcement personnel from BIS's Washington, D.C. headquarters and field offices, as well as representatives from other U.S. government agencies as appropriate. The instructors will be available throughout the seminar to answer your questions on how the export regulations affect the export activities of your organization or client.

Date: Thursday, June 25, 2020

Time: Registration 7:30 a.m.; Program 8:30 a.m. - 5:00 p.m.

Location: Wyndham Boston Beacon Hill Hotel, 5 Blossom Street, Boston

Cost: \$295 per person

p.m. With a 48-hour advance notice, you may send a substitute. All cancellation, refund requests and substitu-

per attendee (up to \$50) for their FY2021 Compliance Alliance membership renewal. Discount will be reflected

discounted Valet Parking Service through an outside company at a rate of \$52 per vehicle, per day. Valet parking
arking is available in the Charles River Plaza Parking Garage adjacent to the hotel. This is not a hotel-operated
ture. Please note that there are no in and out privileges available for those self-parking. Current overnight rates

etts Amherst / Mass Export Center group" and/or ID# "060119MA". You must call 877-999-3223 or click here to
please call the hotel directly at 617-742-7630. This rate is available until May 22, 2020.

ATA Carnets: Facilitate Duty Free Temporary Exports While Saving Time and Money

Exhibiting at a foreign trade show? Shipping demo equipment to your overseas sales agent? Traveling for work and carrying professional equipment?

Save time and simplify Customs clearance while avoiding costly Temporary Import Bonds by using an ATA Carnet instead! An ATA Carnet is an internationally-accepted Customs document that allows for goods to travel between 85+ countries and territories without the need to pay import duties or taxes, resulting in significant cost savings. It is one of the most helpful tools that exporters can use for temporary shipments! Carnets offer many advantages, but it is important that they are processed correctly to avoid Customs claims and penalties due to no proof of re-exportation.

Join us as we discuss the benefits of ATA Carnets, including their uses and management. This program will offer comprehensive guidance for the proper handling of Carnets, including use of Carnets for controlled goods. Tips for troubleshooting will be provided for challenging scenarios, such as goods remaining in-country permanently; goods not re-exported in a timely manner; or cases when the Carnet may be lost or stolen.

The speaker will be Kiel Ursin, Carnet Specialist with Boomerang Carnets.

Date: Friday, May 15, 2020

Time: 12:00 - 1:30 p.m. EST

Location: Webinar

Cost: \$35 / no charge for Compliance Alliance members

Trade Compliance “Off-the-Record” Discussion Group

The current global trade compliance environment is the most challenging and complex in recent memory.

TERADYNE

Join us to connect with fellow trade compliance practitioners for an off-the-record, informal discussion to compare notes and discuss compliance challenges across any number of areas: screening and compliance with ever-growing list-based sanctions; jurisdiction and licensing issues; tariffs and customs compliance issues; recent regulatory developments, including possible changes to de minimus allowances and the foreign direct product rule, new controls on emerging and foundational technologies, the information technology supply chain executive order, and much more.

Bring your questions and concerns to share with the group. The discussion will be led by experienced trade compliance practitioners. While we prefer in-person participation to enhance the discussion, a dial-in option will be provided for participants unable to participate in person.

Date: Friday, June 5, 2020

Time: Registration 9:30 a.m. for in-person attendees; Discussion group 10:00 - 11:30 a.m. EST

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

Cost: \$35 / no charge for Compliance Alliance members



The Changing Global Trade Landscape: Making Sense of Recent Trade Developments

Over the past several years the US trade policy has been in a flux, with new developments impacting importers, exporters, policy and decision makers, as well as consumers. Recent changes have impacted all of the US major trading partners, including Canada, Mexico, China, Japan and the countries of the European Union.



Please join us for this dynamic panel of experts and practitioners who will discuss these changes, including the new US-Mexico-Canada Agreement (USMCA) that replaced NAFTA, trade agreements with China and Japan, tariff actions and their impact. This program is an opportunity for established and prospective exporters, importers and economic development practitioners to understand the implications of recent developments in trade for supply chain management, international sales growth, competitive landscape, national security and regional economic stability.

This event is suitable for both experienced traders and those who are just thinking about starting out internationally, as well as those who are interested in learning more about trade. The panel will include a discussion of recent trade policy actions, government services available to exporters, and a case study by an established exporter.

Speakers:

- David Alward, Consul General of Canada
- Julia Dvorko, Central and Western MA Regional Director — Massachusetts Export Center
- James Paul, Director of Boston Office — U.S. Department of Commerce Commercial Service
- William Shugrue, Client Services Manager, International — The Chamberlain Group

Date: Friday, June 12, 2020

Time: Registration 9:30 a.m.; Program 10:00 - 11:30 a.m.

Location: MSBDC Berkshire Regional Office, Conference Room, 33 Dunham Mall, Suite 103, Pittsfield

Cost: No charge

Exporting in the Digital Age: Grow Your Sales and Build Your Brand by Making the Internet Work for You Globally

In our digital age, the Internet has given consumers unprecedented control of the purchasing process. 95% of the world's markets lie outside the United States, but in order to seize that opportunity, your website must become your best sales rep! Your prospects, customers, and competitors are all online, but are your website and online presence the best they can be to showcase your brand and your business to the global marketplace?

During this program, we will discuss best practices in website localization, online marketing, and e-commerce strategy that will help exporters build their brands and grow their businesses by creating the best user experience for their international customers.

Join us to learn about the key success factors for an intelligent global digital marketing strategy that will help companies to get found, be understood, and improve customer experience.

The speaker will be Jeff Ardis, Business Development Director at IBT Online.

Date: Thursday, July 16, 2020

Time: 2:30 - 4:00 p.m. EST

Location: Webinar

Cost: No charge



China Global Trade Compliance and Security Update

The U.S. government has been expanding national security-based restrictions in connection with technical, business and academic activities involving China, which is having far-reaching implications for a wide range of industry sectors as well as academia, startups and investors. There has been a proliferation of Chinese parties subject to list-based sanctions, perhaps best exemplified by the addition of Huawei and others to the U.S. Entity List.

Proposed regulations to implement the May 2019 executive order on telecommunications supply chain security would establish a new regulatory process in which certain transactions would be subject to review, mitigation, and even the prohibition or unwinding of completed transactions, and would provide for significant penalties for failure to meet regulatory obligations. Rollbacks to allowances under the De Minimis and Foreign Direct Product Rules are expected to restrict claims that items and technology are not subject to U.S. export controls to largely target U.S. exports to China.

There will soon be new restrictions on “emerging and foundational” technologies, which will be controlled for export to China as mandated under the Export Control Reform Act. The recently-implemented final rule on transactions subject to mandatory review by the Committee on Foreign Investment in the U.S. (CFIUS) will provide for heightened scrutiny of Chinese investment in U.S. businesses involved in critical technology, critical infrastructure and sensitive personal data. Join us to learn about these developments and more, and how to best manage the increasing compliance risks associated with doing business in or with China.

The speaker will be Brian Curran, partner with Hogan Lovells US LLP.

Date: Friday, July 24, 2020

Time: 12:00 - 1:00 p.m. EST

Location: Webinar

Cost: No charge



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 with advisors housed in Boston, New Bedford and Westborough.



MASSDEVELOPMENT



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.

MSBDC Network

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 Office 413-545-6301

Business Advising Centers

- Berkshire Regional Office 413-499-0933
- Central Regional Office 508-793-7615
- Government Sales Advisory Program 508-870-3193
- Massachusetts Export Center
 - Headquarter Office / Eastern MA Area 617-973-6610
 - Central & Western MA Area 508-887-5412
 - South Coast & Cape Area 508-999-1388
- Northeast Regional Office 978-542-6343
- Procurement Technical Assistance Center 413-545-6303
- SBIR Program 774-203-9972
- Southeast Regional Office 508-673-9783
- Western Regional Office 413-577-1768

Visit our website at www.msdbc.org



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Thomas Taylor
President and CEO
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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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