

U.S. Export Compliance Certification Series

FOR U.S. PRACTITIONERS

In-depth training on the EAR and the ITAR, with real-time updates and continuous learning opportunities for a full year



Designed by practitioners for practitioners, CE's online export compliance practitioner certificate courses present the in-depth, practitioner-level content required to prepare learners to address the complex, ever-changing U.S. export compliance challenges that companies face in the areas of jurisdiction, classification, licenses and authorizations, export clearance, trade compliance programs, and violation disclosures and management.

The U.S. Export Compliance Certification Series consists of four courses that can be taken individually — or as a complete series:

- Foundations of U.S. Export Compliance for Practitioners
- U.S. Export Classifications for Practitioners
- U.S. Export Authorizations for Practitioners
- U.S. Export Clearance for Practitioners

Upon completion of each course you will receive a Certificate of Completion from the **Schar School of Policy and Government** at **George Mason University** that you can print and automatically add to your LinkedIn profile.



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Foundations of U.S. Export Compliance for Practitioners

Part of the ***U.S. Export Compliance Certification Series*** with a Certificate of Completion from the **Schar School of Policy and Government at George Mason University**



This practitioner awareness course introduces you to the six primary areas of trade compliance that you may be involved in at your company: jurisdiction and classification, regulated activities, authorizations, authorization management, customs clearance, and trade compliance programs. The course will provide an overview of these areas in relation to the relevant U.S. compliance regimes, including the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR), and Office of Foreign Assets Control-administered sanctions and embargoes.

The training identifies key activities and definitions within the trade compliance environment to foster understanding of your role in trade compliance. The course design also permits significant customization options to provide additional company-specific perspective or guide users through corporate compliance procedures.

Target Audience

Employees who are involved – directly or indirectly – in regulated activities should take this course. This includes employees who interact with non-U.S. persons as part of their job. Additionally, employees who are responsible for managing or overseeing personnel who are engaged in trade compliance activities should be considered for this training.

Trade-Specific Objectives

- Understand that trade compliance is a company-wide endeavor
- Identify your daily activities that give rise to trade compliance considerations
- Recall the different regulatory requirements that exist for the identified activities
- Distinguish between the scope, focus, and intent of U.S. regulations
- Recognize when to ask for assistance and/or seek guidance
- Know that trade controls consider end-use, end-user and country of use

Role-Specific Objectives

- Understand that daily activities directly impact or contribute to trade compliance
- Recognize that specific training may be required for successful compliance with the different areas of trade compliance
- Realize that trade compliance happens at all levels of the company and within all business functions

Foundations of U.S. Export Compliance for Practitioners

COURSE OUTLINE (Course Duration: Approximately 2 hours, 22 minutes)

Welcome and Introduction

- Introduction

Jurisdiction and Classification Determinations

- Overview
- Methods of Classification Determination
 - Order of Review
 - USML
 - CCL
 - Specially Designed
 - Other Considerations

Documentation and Reassessment

Regulated Activities

- Overview
- Key Definitions
- End-User and End-Use Considerations
- Types of Items and Activities
- Internal Activities
- Post-Export Activities

Authorizations

- Overview
 - ITAR Authorizations
 - Licenses

Overview

- DSP-5
- DSP-61
- DSP-73
- DSP-85
- USML Paragraph (x)
 - Part 124 Agreements
 - ITAR Exemptions
 - Part 126 Exemptions
- EAR Authorizations
 - EAR Licenses
 - EAR License Exceptions

- Submission Portals
- Tips for Submission

Authorization Management

- Overview
- Review of Approved Authorizations
- Provisos and Limitations Compliance
- Tracking of Activities Under Authorizations
- Amendments
- Recordkeeping and Reporting
- Best Practices for Authorization Management

Customs Clearance

- Overview
- Shipping Documentation
- Electronic Export Information
- Tracking and Decrementation
- Nontraditional Scenarios
- Recordkeeping

Trade Compliance Programs

- Overview
- Elements of an Effective Trade Compliance Program
- Topics That Should Be Addressed in a Trade Compliance Program
- Identifying and Disclosing Potential Violations
- Managing Disclosures
- Compliance and Enforcement Actions
- Industry/Peer Best Practices for Trade Compliance Programs

Training Summary

U.S. Export Classification for Practitioners

Part of the **U.S. Export Compliance Certification Series** with certificate of completion from the **Schar School of Policy and Government at George Mason University**



This practitioner-level training course gives learners the foundation for conducting jurisdiction and classification assessments by analyzing the critical factors to be considered – which are not always explicit in the regulations – and the methods for conducting such assessments. The factors include the differences between the philosophies of the ITAR and EAR when reviewing items, analysis of the pivotal definitions to understand when information is export controlled, guidance on the issue of ITAR contamination of non-U.S. items, and tips for reading the control lists. The course also discusses the role effective jurisdiction and classification plays in a company’s trade compliance program, including best practices for documenting the determination process.

Target Audience

- Employees who are responsible for or involved in conducting jurisdiction and classification assessments
- Employees who are responsible for determining if technical information is export controlled or marking export-controlled technical data and technology
- These learners could include engineers, due to the technical nature of the control lists, and employees from other business functions

Trade-Specific Objectives

- Understand the different philosophies regarding control of technical information under the ITAR and EAR
- Recall when the different regulatory terms are applicable
- Identify technical information that may be export controlled, and review for classification
- Remember that U.S.-origin technical information can contaminate a non-U.S. product or information
- Understand the requirements for marking technical information as export controlled
- Recognize when a jurisdiction and classification assessment needs to be updated or reassessed
- Know that documenting the decision-making process and rationale is critical to successful compliance

Role-Specific Objectives

- Understand that they may be responsible for conducting or validating jurisdiction/classification assessments
- Recognize that they may be asked to assist a vendor in conducting a jurisdiction/classification assessment
- Understand that they may be responsible for ensuring the appropriate recordkeeping is maintained for a jurisdiction and classification assessment

U.S. Export Classification for Practitioners

COURSE OUTLINE (Course Duration: Approximately 3 hours,3 minutes)

Welcome and Introduction

- **Welcome**
 - Layout of the ITAR
 - How the EAR Is Structured
- **Jurisdiction and Classification Determinations**
 - Overview
 - Methods of Classification Determination
 - Formal Commodity Jurisdiction Requests
 - Commodity Classification Requests
 - Encryption CCATS
 - Order of Review
 - The United States Munitions List
 - CCL Scope and Structure
 - CCL Order of Review
 - 600 Series
 - 9x515 Series
 - Specially Designed
 - Other Considerations
 - Triggers, Tips, and Common Mistakes
 - Identification of Technical Data/Technology
 - Technical Data (§120.10)
 - Technology
 - Marking of Technical Data/Technology
 - Documentation and Reassessment

Regulated Activities

- **Overview**
 - Key Definitions
 - U.S. Person (§120.15)
 - Foreign Person (§120.16)
 - U.S. Person
 - Foreign Person
 - Export (§120.17)
 - Export
 - Defense Article (§120.6)
 - Item: Commodities, Software and Technology
 - Defense Service (§120.9)
- **Internal Activities**

Authorizations

- **Overview**
 - ITAR Authorizations
 - Introduction
 - EAR Authorizations
 - EAR Licenses
 - §125.4(b)(13)

Authorization Management

- **Overview**
 - Recordkeeping and Reporting

Customs Clearance

- **Overview**

Trade Compliance Programs

- **Overview**
 - Identifying and Disclosing Potential Violations
 - What Constitutes a Violation?
 - Violations Under the EAR
 - Penalties for Violations
 - Sanctions for Violations
 - Voluntary Self-Disclosures
 - Notification of Potential ITAR Violations to the U.S. Government

Training Summary

U.S. Export Authorizations for Practitioners

Part of the ***U.S. Export Compliance Certification Series*** with a Certificate of Completion from the **Schar School of Policy and Government at George Mason University**



This practitioner-level course examines the authorization types available for exports and imports of regulated hardware, technical information, software, and services under both direct commercial sales and Foreign Military Sales programs. This course also addresses permanent and temporary nature of transactions. The course provides an overview of these areas in relation to the relevant U.S. compliance regimes, including the Export Administration Regulations, the International Traffic in Arms Regulations, and Office of Foreign Assets Control-administered sanctions and embargoes. The training provides detailed guidance for implementing the appropriate authorization for transactions that may involve multiple authorization types, as well as different regulations depending on the activity. This course also discusses which business functions may have the relevant information required to determine authorization needs, such as program management, contracts, business development, procurement, and logistics.

Target Audience

- Employees who are responsible for determining licensing requirements and obtaining authorizations
- Employees who are responsible for utilizing exemptions and exceptions under the regulations
- Employees who play a role in authorization management such as recordkeeping and tracking of activities
- Employees who are responsible for managing or overseeing trade compliance activities in other business functions such as classification and export clearance

Trade-Specific Objectives

- Understand the implementation requirements for different types of authorizations under the ITAR and EAR
- Recognize when multiple authorizations are needed for a transaction to be compliant
- Identify the authorization management and recordkeeping requirements for different types of authorizations
- Remember that different business functions play a role in authorization management and recordkeeping
- Distinguish the requirements between permanent and temporary transactions

Role-Specific Objectives

- Understand that they may be responsible for determining the appropriate authorization for a transaction
- Recognize that they may be asked to approve the use of a company-certified authorization
- Realize that they may be responsible for preparing and submitting formal authorization requests
- Understand that they may be responsible for ensuring the appropriate recordkeeping is maintained for an authorization

U.S. Export Authorizations for Practitioners

COURSE OUTLINE (Course Duration: Approximately 6 hours, 50 minutes)

Welcome and Introduction-

• Welcome

- The Arms Export Control Act
- Layout of the ITAR
- Registration
- The Export Administration Act and International Emergency Economic Powers Act
- How the EAR Is Structured
- Subject to the EAR

Jurisdiction and Classification Determinations

• Overview

Regulated Activities

• Overview

- Key Definitions
 - U.S. Person (§120.15)
 - Foreign Person (§120.16)
 - U.S. Person
 - Foreign Person
 - Export (§120.17)
 - Export
 - Defense Article (§120.6)
 - Item: Commodities, Software and Technology
 - Technical Data (§120.10)
 - Technology
 - Defense Service (§120.9)
 - Reexport and Retransfer (§120.19 and §120.51)
 - Reexport
 - Retransfer
 - Temporary Import (§120.18)
 - Temporary Export
 - Public Domain (§120.11)
 - Significant Military Equipment (§120.7)
 - Empowered Official (§120.25)
 - Subject to the Export Administration Regulations (EAR) (§120.42)

- Transfer
- Country Group
- Military Commodity
- Activities That Are Not Exports, Reexports, or Transfers
- Activities That Are Not Deemed Reexports
- Release
- Activities That Are Not Exports, Reexports, Retransfers, or Temporary Imports
- Access Information
- End-User and End-Use Considerations
 - Receipt of Licenses and Eligibility (§120.1(c))
 - Interpreting ITAR §126.1(d)/(e)
 - General Prohibitions
 - Embargoed or Sanctioned Destinations
 - End-Use and End-User Controls
 - Red Flags
 - Denied Persons
 - Restrictive Trade Practices and Boycotts

• Types of Items and Activities

• Internal Activities

- Post-Export Activities
 - De Minimis Rule
 - Foreign-Produced Direct Product Rule

Authorizations

• Overview

- ITAR Authorizations
 - Introduction
 - DSP-5 Licenses
 - Introduction
 - Deemed Export/Foreign Person Employment
 - Technical Data Licenses
 - Limited Defense Services Licenses

U.S. Export Authorizations for Practitioners

COURSE OUTLINE (page 2 of 3)

- Offshore Procurement Licenses
- DSP-73 and DSP-74
- DSP-85 and DSP-119
- USML Paragraph (x)
- DSP-94
- Overview
- Technical Assistance Agreements
- Manufacturing License Agreements
- Warehouse and Distribution Agreements
- Determining Value for Agreements
- Use of Foreign-Person Contract Employees
- Summary of the Congressional Certification Requirement
- Dollar Thresholds for Certain Transactions
- Congressional Certification Process and Timelines
- Renotifications to Congress
- Special Comprehensive Export Authorizations for NATO, Australia, Japan, and Sweden
- Brokering Activities
- Brokering Definitions
- Registration of Brokers
- Approval Requirements for Brokers
- Brokering Reports
- U.S. Persons Employed Abroad
- EAR Authorizations
 - EAR Licenses
 - Determining EAR License Requirements
 - Support Documentation Requirements Under the EAR
 - Statement by Ultimate Consignee and Purchaser
 - Firearms Convention Import Certificate
 - PRC End-User Statement
 - Hong Kong Import License
 - Hong Kong Export License
 - Validated End User
 - Deemed Exports and Reexports

- License Exceptions
- Routed Export Transaction

• **Submission Portals**

- Exemptions
 - Introduction

Authorization Management

- **Overview**
- **Review of Approved Authorizations**
- **Provisos and Limitations Compliance**
- **Tracking of Activities Under Authorizations**
 - Amendments
 - DSP Amendments
 - Amending Agreements
 - Recordkeeping and Reporting
 - ITAR Recordkeeping Requirements
 - Defense Articles, Technical Data, and Defense Services Exports Using Exemptions
 - Certification Requirements for Exemptions
 - Reporting of Export Information on Technical Data and Defense Services
 - Post-Approval Requirements for Agreements
 - Introduction
 - Export Control Document

Customs Clearance

- **Overview**

Trade Compliance Programs

- **Overview**
- **Elements of an Effective Trade Compliance Program**
- **Topics That Should Be Addressed in a Trade Compliance Program**
 - Identifying and Disclosing Potential Violations
 - What Constitutes a Violation?
 - Violations Under the EAR

U.S. Export Authorizations for Practitioners

COURSE OUTLINE (page 3 of 3)

- Penalties for Violations
- Sanctions for Violations
- Notification of Potential ITAR Violations to the U.S. Government
- Voluntary Self-Disclosures
- Managing Disclosures
 - Identifying When a Disclosure Should Be Made Under the ITAR
- Compliance and Enforcement Actions
 - Debarment from Exporting

Training Summary

U.S. Export Clearance for Practitioners

Part of the ***U.S. Export Compliance Certification Series*** with a Certificate of Completion from the **Schar School of Policy and Government at George Mason University**



This practitioner-level course introduces learners to the regulatory requirements for effecting the actual shipment or transfer of export-controlled items. These activities are commonly called “customs clearance.” This course provides an overview of these areas in relation to the relevant U.S. compliance regimes, including the Export Administration Regulations, the International Traffic in Arms Regulations, the Foreign Trade Regulations, and Customs and Border Protection regulations. These activities include preparation of customs clearance documentation, decrementation of authorizations, and recordkeeping. Specifically, this course will identify the different requirements for hardware and technical information under the ITAR and the EAR, as well as the submission methods to CBP. This course will also discuss the different requirements for permanent transactions and temporary transactions. Transactions involving hand-carry scenarios, self-decrementation, domestic transactions with foreign persons, and shipments using government transport are also covered. Most importantly, this course addresses best practices for conducting customs activities.

Target Audience

- Employees who are responsible for preparing and reviewing export control documents for customs purposes
- Employees who are responsible for clearing inbound items for either a permanent or temporary transaction
- Employees who interface with freight forwarders and logistics providers – both domestically and abroad

Trade-Specific Objectives

- Understand the customs clearance requirements for hardware shipments and technical information transfers
- Identify the need to provide destination control statements and classification information
- Remember that an authorization requires decrementation to ensure compliance
- Recognize the recordkeeping and reporting requirements for the use of exemptions and exceptions
- Distinguish between the different requirements for permanent and temporary transactions
- Know that maintaining records associated with a shipment or transfer is critical to successful compliance

Role-Specific Objectives

- Understand that they may be responsible for preparing or submitting customs clearance documentation
- Recognize responsibility for decrementing or monitoring an authorization for available quantity or value
- Understand responsibility for ensuring that appropriate customs clearance recordkeeping is maintained

U.S. Export Clearance for Practitioners

COURSE OUTLINE (Course Duration: Approximately 1 hour, 44 minutes)

Welcome and Introduction

Welcome

Jurisdiction and Classification Determinations

Overview

Regulated Activities

- Overview
 - Key Definitions
 - U.S. Person (§120.15)
 - Foreign Person (§120.16)
 - U.S. Person
 - Foreign Person
 - Export (§120.17)
 - Export
 - Temporary Import (§120.18)
 - Temporary Export
 - Red Flags
- Internal Activities

Authorizations

- Overview
 - ITAR Authorizations
 - Introduction
 - DSP-73 and DSP-74
 - DSP-94
 - Subsection 123.4(a)
 - EAR Authorizations
 - EAR Licenses

Authorization Management

- Overview
- Tracking of Activities Under Authorizations
- Amendments
 - Recordkeeping and Reporting
 - Export Control Document

Customs Clearance

- Overview
- Shipping Documentation
- Electronic Export Information
- Tracking and Decrementation
- Nontraditional Scenarios
- Recordkeeping

Trade Compliance Programs

- Overview
 - Identifying and Disclosing Potential Violations
 - What Constitutes a Violation?
 - Violations Under the EAR
 - Penalties for Violations
 - Sanctions for Violations

Training Summary