

The background features a world map in a light blue color, centered on the Atlantic Ocean. Overlaid on the map are several horizontal arrows of varying lengths and directions, some pointing right and some left. The entire background is filled with a pattern of small, light blue squares and circles, resembling a digital or data visualization. The title 'International Trade Compliance Training' is written in a large, bold, white font with a black outline, positioned on the right side of the map.

International Trade Compliance Training

INTRODUCTION

From Sarbanes-Oxley and the Customs Modernization Act (Mod Act) to increased enforcement of export laws with new steepened penalties of \$250,000 per shipment, it is now more important than ever for businesses and associations to conduct employee training sessions geared towards international trade compliance. This training will help businesses implement duty savings opportunities, avoid the risks of disruptive and expensive investigations, penalties and negative publicity, and improve existing global trade compliance processes.

Kelley Drye & Warren LLP is home to one of the largest and most highly regarded international trade and customs practices in the country. Among the wide range of services we provide our clients are comprehensive, practical, and fact-filled training programs on international trade compliance that are tailored to meet the specific global compliance needs of each of our clients. When clients request compliance training services from Kelley Drye, we guarantee that training will:

- Reflect the unique issues confronting your industry;
- Be customized to meet the interests and needs of your audience; and
- Be delivered in the format that is best for you.

Training Will Reflect the Unique Issues Confronting Your Industry

Leveraging the significant experience Kelley Drye attorneys have gained working for clients in a broad range of industries, we have the capabilities to fully customize your training program to address the issues that are unique to your business. A selection of the industries in which we are well-known, includes retail, manufacturing, distributors, associations, agricultural, agricultural equipment, food, pharmaceutical, chemical, petroleum, plastics, leather, lumber, textiles, apparel and footwear, metals and machines, electronic equipment, vehicles, medical and optical equipment, high tech equipment, military and aerospace, and consumer products.

Training Will Be Customized to Meet the Interests and Needs of Your Audience

The right audience for your training might range from high level corporate executives and in-house counsel, to financial, purchasing, sales, human resources, IT systems, logistics, and trade compliance staff. We have gained credibility with each of these groups and our training is tailored to communicate in unique terms that are understood and appreciated by these audiences. Moreover, our depth of experience allows us to provide countless examples of how others in their roles have effectively addressed the real-world challenges they face.

Training Will Be Delivered in the Format That is Best for You

From webinars and one-hour legal overviews to week long, comprehensive training sessions, boot camps and workshops, we have the flexibility to offer training programs in the format that aligns with your needs and time constraints. Additionally, we can provide training on-site at your locations, or in our offices around the country and the world.

We will consult with you to determine which training program is the best fit for your business needs. In addition, CLE credits may be available to attorneys in some jurisdictions.

What follows is a brief description of the training programs we currently offer. Please contact us for more information, to schedule a session, or to discuss how we might create a unique program for your company or group.

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KELLEY DRYE'S INTERNATIONAL TRADE COMPLIANCE TRAINING PROGRAMS

Import

The Mod Act requires that importers exercise reasonable care before importing products into the United States. If an importer does not know its legal obligations prior to importation, it may be subject to substantial penalties. Kelley Drye's import seminars cover all areas of import compliance, including:

- Entry Process
- Classification
- Valuation
- Country of origin and marking
- Admissibility, quotas and other importing restrictions
- Bilateral and multilateral trade agreements (e.g., NAFTA, CAFTA, Chile, Singapore, Australia, Israel, Jordan and Morocco FTAs)
- Safeguard and short supply proceedings
- Preferential trade programs (e.g., GSP, CBI, AGOA, ATPA, Insular Possessions and Ch. 98)
- Drawback
- Foreign Trade Zones (FTZ)
- Temporary Importation under Bond (TIB) and Bonded Warehouses
- Jones Act and Vessel Repairs
- Internal compliance reviews, recordkeeping and compliance programs
- Focused assessments and audits
- Investigations, penalty proceedings and liquidated damages claims
- Seizures and forfeitures
- Ruling requests and other administrative requests
- Protests and other administrative and judicial challenges

Government Agency Compliance

Customs and Border Protection (CBP) enforces the laws of more than 40 different government agencies. Knowing how to comply with the requirements of all these agencies is critical to ensuring that your imported products are not denied entry into the United States, or that your business is not subject to violation penalties. Kelley Drye's international trade and customs experts provide a comprehensive review of importing and other agency requirements, presented by our partners who have extensive experience dealing with numerous agencies, including the Environmental Protection Agency, Consumer Product Safety Commission, Food and Drug Administration, Federal Trade Commission, Fish and Wildlife Service, Patent and Trademark Office, Federal Communications Commission, and Drug Enforcement Agency.

Export and Sanctions Compliance

Kelley Drye provides focused legal advice for clients seeking to resolve export control and compliance problems and for those seeking to establish new compliance systems or update their existing systems. Our export controls attorneys work with all the principal export control agencies, including the U.S. Department of Commerce's Bureau of Industry and Security (BIS), the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC), the Nuclear Regulatory Commission (NRC), the U.S. Department of Energy (DOE), the U.S. Department of State's Directorate of Defense Trade Controls (DDTC), and counterparts at the U.S. Department of Defense (DOD). Kelley Drye's export compliance services address key aspects of export and sanctions compliance, including:

- Export compliance training for companies in every industry
- Development and deployment of effective export compliance systems
- Commodity classification and commodity jurisdiction
- Export licensing strategy and processing
- Reexports and foreign subsidiary liability
- Economic sanctions and embargoes
- Handling export enforcement investigations
- All other areas of export compliance

Foreign Corrupt Practices Act

The Foreign Corrupt Practices Act (FCPA) makes it unlawful to pay or offer anything of value to a foreign official for the purposes of obtaining or retaining business. Companies selling to or buying from foreign governments or state-owned enterprises are especially vulnerable to FCPA concerns. The FCPA also regulates accounting practices to ensure compliance. Violations of the act, which applies to all U.S. persons, no matter where they are located, may lead to significant civil and criminal penalties. Foreign subsidiaries, consultants and other selling agents can create liability for themselves and for U.S. companies through their activities outside the United States. Kelley Drye's training on FCPA helps businesses avoid FCPA penalties and demonstrate their commitment to compliance with FCPA requirements.

Anti-Boycott

U.S. laws impose penalties on U.S. companies and entities controlled by domestic companies (including foreign subsidiaries) that agree to participate, or actually do participate, in foreign boycotts that the United States does not sanction, such as the Arab League boycott of Israel. The scope of U.S. laws is broad and covers actions such as refusals to do business with Israel, agreements to furnish information (e.g. questionnaire responses), and agreements to discriminate against Israeli companies or certain "blacklisted" companies. The law also imposes reporting requirements that can force companies to report the receipt of unsolicited documents that violate the law, even if the company does not agree to comply with the unlawful request. It is critically important for personnel involved in export transaction processing to be able to recognize red flags in this area to prevent violations. Kelley Drye's training helps individuals identify these red flags and helps businesses navigate the complex requirements of these laws.

Antidumping and Countervailing Duty Laws

In accord with the World Trade Organization (WTO) Agreements, the United States and other countries allow for additional duties to be imposed on imported goods that are unfairly traded (sold below cost or below home market price, or benefit from government subsidies) and injure a domestic industry. Antidumping and countervailing duty laws are intended to protect domestic industries from the effects of unfair trade. Our training explains the rules and processes of antidumping and countervailing duty proceedings, and how companies can obtain the benefits or avoid the imposition of additional duties under these laws.

WTO and Other Trade Agreements - Foreign Market Access, Dispute Resolution and Rule Making

The WTO and other international trade agreements and organizations provide dispute resolution and rulemaking opportunities, and devise remedies for companies whose products face unlawful barriers or restrictions to entry into a foreign country or to importers suffering from violations of international trading rules. Kelley Drye's training explains WTO market access rules, the market access rules of other trade agreements, dispute resolution processes under international agreements, the rulemaking process, and remedies available to exporters and importers under these agreements.

Government Relations and Legislation

In this training, former Congressional staffers, lobbyists and former employees of the agencies that handle trade and customs matters provide an “insider’s” perspective regarding how Congressional committees and various administrative agencies such as the International Trade Commission are structured, how they operate, and how companies engaged in international trade can most effectively deal with them to improve their competitive position.

Global Trade Compliance

Businesses are often faced with trade restrictions imposed by countries that offer high potential but are difficult to access, including China, Canada, Mexico, EU member countries, India and Brazil. Kelley Drye provides practical guidance on how to comply with the laws in these and other jurisdictions.

HAZMAT

Under U.S. Hazardous Materials (HAZMAT) regulations and related international laws, there are strict rules requiring the proper labeling and transportation of hazardous materials. These laws also require proper training with certified instructors. Kelley Drye’s legal team works with certified HAZMAT training instructors to provide HAZMAT certified training courses that are practical and address critical regulatory issues in order to ensure compliance.

Intellectual Property Enforcement and 337 Actions

U.S. Customs and Border Protection (CBP) enforces intellectual property rights to ensure that imports that infringe on such rights are not imported into the United States. Our trade and customs lawyers work closely with the firm's intellectual property lawyers to provide training on how to protect your business’s intellectual property rights through such processes as registration of trademarks with CBP and 337 proceedings before the International Trade Commission.