

American Conference Institute's 7th National Forum on

IMPORT COMPLIANCE & ENFORCEMENT

How to Resolve Critical Compliance, Valuation, Supply Chain, Audit and Origin Determination Challenges

June 20 – 21, 2012 • DoubleTree by Hilton • Washington, DC

GET FIRST-HAND GOVERNMENT INSIGHTS ON CURRENT HOT-BUTTON ISSUES:

Status Report: National Strategy for Global Supply Chain Security



Ellen McClain
Deputy Assistant Secretary
(Transborder Policy) Office of Policy
U.S. Department of Homeland Security

First-hand CBP Insights on Penalties, Valuation, Audit, and ISA Expectations:

Alan C. Cohen
Senior Attorney
Penalties Branch

Monika Brenner
Chief

Valuation & Special Programs Branch

Cindy Covell
Executive Director,
Regulatory Audit

Florence Constant
Chief

Partnership Programs Branch

CBP Updates on C-TPAT-AEO, Single Window, ACE, Centers of Excellence and Simplified Entry

Carlos Ochoa
Supervisory Program Manager
C-TPAT / Industry Partnership
Programs

Jeremy Baskin
Senior Advisor
to the Executive Director
Regulations and Rulings

Cynthia D. Allen
Executive Director
for ACE Business

Susan Dyszel
ITDS Team Lead

Anne Maricich
Assistant Director, Trade,
Los Angeles Field Office

Lori Gartner
Manager, Single Window Initiative
Canada Border Services Agency
(Ottawa, Canada)

The Latest from CBP and ICE on IPR Enforcement Priorities

Charles Steuart
Chief, IPR & Restricted
Merchandise Branch, CBP

Rich Halverson
National IPR Coordination Center,
ICE

FDA Safety and Compliance Expectations

Domenic Veneziano
Director, Division of Import Operations
and Policy, FDA

Meet and benchmark with senior trade executives from:

Target

Tyco

Cardinal Health

3M

General Motors

Nike

Cisco

Eli Lilly

Del Monte

Boeing

FedEx

Hershey

Silicon Image

Northrop Grumman

U.S. Steel

DRS Technologies

A.N. Deringer

Williams-Sonoma

Covidien

Momentive

VAS Aero

Gain practical strategies and best practices for:

- Implementing a robust third party and **broker management** program
- Overcoming complex **valuation** and **transfer pricing** issues amid varying IRS and CBP positions
- Implementing the C-TPAT 5-Step Risk Assessment process and preparing for **foreign revalidations**
- When and how to join the ISA program: How to meet strict CBP standards for internal controls
- **Prior Disclosures:** Maximizing payment reductions with **offsetting**, and reducing exposure
- Passing rigorous FTA Audits: How to prevent costly **origin determination** errors
- What an effective **import compliance program** should look like in 2012 and beyond

Practical, Interactive Pre- and Post-Conference Working Groups:

A June 19, 2012: Fundamentals of U.S. Customs Compliance: A Comprehensive Review of Key Import Concepts, Requirements, Agencies and Who to Contact for What

B June 22, 2012: Managing Focused Assessments from A to Z: A Practical Guide on How to Prepare, Respond and Make It through the Entire Process

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Attend What is Regarded as the Premier Import Compliance Benchmarking and Networking Event of the Year. The Updated 2012 Agenda Features New Topics and Speakers.

Each year, import compliance and legal professionals attend American Conference Institute's **National Forum on Import Compliance and Enforcement** to meet and learn from leading trade compliance executives and attorneys, and ask questions directly to senior government officials.

Now in its 7th successful year, this **fully updated** and **highly practical agenda** is the culmination of research with a broad range of importers to ensure focus on the most pressing compliance issues impacting your bottom line.

New Program Features and Keynote Speakers for 2012:

- Invaluable insights from *Ellen McClain*, Deputy Assistant Secretary (Transborder Policy, U.S. Department of Homeland Security) on global supply chain security initiatives
- *Alan Cohen* (Senior Attorney, Penalties Branch, CBP) will discuss **the largest penalties in the last year**, and lessons learned
- Hear from *Carlos Ochoa* (Supervisory Program Manager, C-TPAT / Industry Partnership Programs, CBP) and *Susan Dyszel* (ITDS Team Lead, CBP) on **Single Window Developments** and ITDS
- Ask your questions to *Monika Brenner* (Chief, Valuation & Special Programs Branch, CBP) on how to resolve complex **valuation** and **transfer pricing issues**
- Gain first-hand insights from *Cindy Covell* (Executive Director, Regulatory Audit) on **CBP audit plans and priorities**
- Benefit from **Centers of Excellence** and **Simplified Entry System** updates from *Jeremy Baskin* (Senior Advisor to the Executive Director, Regulations and Rulings, CBP) and *Anne Maricich* (Assistant Director, Trade, Los Angeles Field Office, CBP)
- Hear from *Florence Constant* (Chief, Partnership Programs Branch, CBP) on the **ISA program**: Satisfying strict CBP standards for internal controls
- Take away updates from *Cindy Allen* (Executive Director for ACE Business) on the transition to **ACE**

New Panel on Intellectual Property Rights.

Learn from *Charles Steuart* (Chief, IPR & Restricted Merchandise Branch, CBP) and *Rich Halverson* (National IPR Coordination Center, ICE) on how to reduce **counterfeiting** risks, import trademark-protected and **grey market** goods, and what triggers **detention** and **seizures**

Fully Updated Session on Importing FDA-Regulated Products Amid New Safety Requirements.

Gain best practices from *Domenic Veneziano* (Director, Division of Import Operations and Policy, FDA) on how to satisfy new, heightened safety and compliance expectations.

New 2012 Industry Speakers.

Tyco, Cardinal Health, Target, 3M, Nike, Del Monte, Boeing, Eli Lilly, General Motors, FedEx, Silicon Image, Hershey, Covidien, Northrop Grumman, Cisco, U.S. Steel Corporation, DRS Technologies, A.N. Deringer, Williams-Sonoma, VAS Aero, and Momentive

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 - Customs Compliance
 - Customs Administration and Operations
 - International Trade Compliance
 - Import/Export Compliance
 - Global Trade Policy
 - Worldwide Import/Export
 - Supply Chain Security
- ✓ **Corporate Counsel**
 - International Trade Counsel
 - Trade and Regulatory Counsel
 - Customs and International Trade Counsel
 - General Counsel
- ✓ **Freight Forwarders and Customs Brokers**
 - Managers, Brokerage Services
 - In-house Counsel
- ✓ **Private Practice Attorneys specializing in:**
 - Import and customs compliance/enforcement
 - FDA compliance and enforcement

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PRE-CONFERENCE WORKING GROUP

Tuesday, June 19, 2012 | 1:30 p.m. – 5:00 p.m.

A Fundamentals of U.S. Customs Compliance: A Comprehensive Review of Key Import Concepts, Requirements, Agencies and Who to Contact for What

Michele Dunkle

Import Compliance Manager
Northrop Grumman Corporation (Baltimore, MD)

Geoffrey Goodale

Partner
Shipman & Goodwin LLP (Washington, DC)

This practical and interactive working session will provide you with a comprehensive discussion of basic U.S. customs concepts and requirements that will lay the groundwork for the in-depth discussions during the main conference. Whether you are new to the field of customs compliance or a seasoned veteran seeking a useful refresher, you will find this practical workshop invaluable for making sense of core elements that are critical to your import operations and bottom line.

Critical concepts and requirements to be covered will include:

- Key agencies, their roles and jurisdictions including CBP, ICE, FDA, USDA, IRS, CPSC and the Department of Justice
- The basics of Harmonized Tariff Classification
- Core valuation regulations, transfer pricing, and reconciliation
- Defining “Assists”
- Key supply chain security requirements and programs
- How to participate in the Customs-Trade Partnership Against Terrorism & Partners in Protection (C-TPAT)
- What is the Importer Self-Assessment (ISA) program
- Current Free Trade Agreements (FTAs), and their associated risks and benefits
- Country of Origin and Marking requirements: NAFTA and Non-NAFTA
- Overview of the Generalized System of Preferences (GSPs)
- Customs documentation and recordkeeping requirements
- Duty deferral and relief programs
- Customs audit process and penalty review
- The Entry Process: Entry filing, summary and entry documentation
- Making sense of Pre-Importation Importer Security Filing or “10+2”
- What can trigger penalties, detention and seizure of goods
- Defining the “reasonable care” standard
- Considerations and strategies for submitting ruling requests to CBP
- When and how to protest CBP actions and determinations

Continuing Legal Education Credits



Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board in the amount of 15.0 hours. An additional 4.0 credit hours will apply to workshop participation A or B.

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You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

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POST-CONFERENCE WORKING GROUP

Friday, June 22, 2012 | 9:00 a.m. – 12:30 p.m.

B Managing Focused Assessments from A to Z: A Practical Guide on How to Prepare, Respond and Make It through the Entire Process

John Macisso

Manager of North American
Trade Compliance
Coviden (Mansfield, MA)

Randi Waltuck

Director of Compliance
VAS Aero Services, LLC (Boca Raton, FL)

Lindsay B. Meyer

Partner
Venable LLP
(Washington, DC)

This intensive, practical working session will guide you through the entire focused assessment process, and will discuss how to prepare in light of new CBP compliance expectations and emerging risk areas for importers. The working session experts will take you through a step-by-step analysis of the entire process, and will offer concrete examples and first-hand insights on key pitfalls to avoid.

Benefit from reference materials, case studies and enhanced Q & A on the ever evolving audit program, and new areas of CBP review and methodologies that are being used during the audit. Learn how to manage and respond to auditor requests, and take away invaluable best practices that will help your organization to weather this rigorous process.

Topics will include:

- What to do when you receive the audit call: Crafting an effective audit response plan
- When to call in external counsel or other advisors: Key factors
- Conducting a self-assessment to evaluate your chances of a favorable audit result
- The FA timeframe and the scope of resources to devote to the process
- How to respond to the FA questionnaire and prepare for an opening conference with CBP
- Working with CBP auditors to determine the FA areas of focus
- Ensuring full coordination and preparation before the auditors arrive at your door
- How to prepare company officials for the interviews with CBP officials
- Responding to CBP requests during the audit
- Post-audit communications and correspondence with CBP
- How to develop a compliance improvement plan
- Interacting with CBP in an audit: What you should and should not do
- Post-audit communications and preparing for a re-audit

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DAY 1 – WEDNESDAY, JUNE 20, 2012

7:30 Registration and Continental Breakfast

8:30 **Opening Remarks from the Conference Co-Chairs**

Jill Franze

Director Global Customs
Cisco Systems, Inc.
(Sacramento, CA)

Robert J. Pisani

Partner
Pisani & Roll LLP
(Washington, DC)

8:45 **KEYNOTE ADDRESS: Status Report on the National Strategy for Global Supply Chain Security and the Practical Impact on Importers**



Ellen McClain

Deputy Assistant Secretary (Transborder Policy)
Office of Policy
U.S. Department of Homeland Security (Washington, DC)

9:15 **Update on Single Window Developments: Status of Mutual C-TPAT-AEO Recognition, ITDS Implementation, and the Potential for Reduced Inspections**

Carlos Ochoa

Supervisory Program Manager
C-TPAT / Industry Partnership Programs
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

Susan Dyszel

ITDS Team Lead
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

Lori Gartner

Manager, Single Window Initiative
Canada Border Services Agency (Ottawa, Canada)

At this highly anticipated panel, you will benefit from first-hand insights on the efforts to globalize and expedite customs clearance, certification and data processes affecting your global import operations. Bring your questions, as ample time will be left for Q & A. Topics will include:

- Single window developments on supply chain security: Status of mutual recognition between CTPAT and AEO, and the impact on importers
- Standardizing customs forms and certification through the International Trade Data System (ITDS): Status of ITDS Board efforts
- Recent changes to C-TPAT requirements
- Update on air cargo security pilot: TSA requirements for screening air cargo, how they differ from C-TPAT standards, and the impact on international shipments

10:00 **Networking Coffee Break**

10:15 **Vetting and Managing Brokers, Suppliers and Other Third Parties: How to Implement a Robust Third Party and Broker Management Program**

Brian Cochran

Director International Trade Compliance
Tyco Electronics Corporation (Menlo Park, CA)

Mary Metzger

Trade Compliance Manager
Cardinal Health Global Trade (Dublin, OH)

Amy Magnus

District Manager
A.N. Deringer (Champlain, NY)

- Conducting effective due diligence of foreign third parties, and detecting warning signs: How far you need to go toward minimizing liability risks
 - designing a questionnaire for third parties
 - assessing third party sourcing methods and supply chain relationships
 - detecting red flags and warning signs, and quantifying risk
- Overcoming challenges to vetting 2nd and 3rd tier suppliers
- Broker management
 - scope of liability risks for importers and brokers
 - assessing the skills, experience, and resources of customs brokers
 - how brokers and importers can work together to implement global policies and procedures
- Communicating compliance expectations and requirements, and developing guidelines for your supply chain: How much to train, and how much is too much
- Incorporating contractual safeguards, including audit and testing mechanisms
- How to monitor compliance across your supply chain, and detect warning signs
- Auditing brokers and foreign vendors, and conducting periodic reviews and site visits
- When and how to terminate the relationship
- What to do if a third party makes a mistake

11:15 **Resolving Complex Valuation and Transfer Pricing Issues amid Varying IRS and CBP Positions: Post-Importation Price Adjustments, Related Party Transactions and Other Hot Issues**

Monika Brenner

Chief, Valuation & Special Programs Branch
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

Matthew M. Nolan

Partner
Arent Fox LLP (Washington, DC)

- Navigating the interplay between transfer pricing and valuation
 - IRS and CBP approaches to transfer pricing
 - recent CBP rulings
 - using transfer price studies
 - adapting IRS documents for customs purposes
- Recent changes to CBP valuation audits
- Status of proposed policy change with respect to post-importation price adjustments between related parties: Impact on the declared value of imported goods, duties and fees payable
- When an importer can use transaction value and report retroactive adjustments through reconciliation
- What constitutes an acceptable objective formula
- What is a “royalty” vs. not, and the impact of revenue sharing on this assessment
- When foreign R &D and engineering can be a “dutiable assist” under valuation rules
- Determining the value of a component: When you can use the cost method
- What is “reasonable profit” and a “fair price”?
- Determining the value of IP related to a product
- Valuating goods sent out for repair: When to include shipping and repair costs

12:15 Networking Luncheon for Attendees and Speakers

1:30 **The Rise in IPR Enforcement: Reducing Counterfeiting Risks, Importing Trademark Protected and Grey Market Goods, and What Triggers Detention and Seizures**

Charles Stewart

Chief, IPR & Restricted Merchandise Branch
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

Rich Halverson

Unit Chief, Outreach & Training
National IPR Coordination Center
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security (Washington, DC)

Jeff Whalen

Assistant General Counsel, Customs and International Trade
Nike (Portland, OR)

Lars-Erik A. Hjelm

Partner
Akin Gump Strauss Hauer & Feld LLP (Washington, DC)

- How CBP and ICE have ramped up IPR enforcement: Inter-agency coordination and priorities going forward
- Scope of potential penalties against importers for IP violations, and mitigating factors
- How the agencies detect actual or suspected infringing goods, and what triggers detention and seizures
- Determining if products are grey market or counterfeit
- Distinguishing between black and grey market goods
- Strengthening your program for purchasing trademark protected goods: Tightening internal controls for IP compliance, and satisfying pre-clearance requirements
- Leveraging updated CBP trademark protection tools for importers, including upgrades to CBP's Intellectual Property Rights Internal Search system (IPRIS) and proper recording of trademarks
- How IP holders can protect their mark in addition to available CBP tools
- Importing grey market goods
 - what triggers detention and seizure of goods
 - demonstrating that the goods are legitimate to remedy a detention notice
 - ensuring effective supply chain monitoring to detect and remedy compliance risks
 - when to walk away from the goods if they are detained or seized
- How CBP and ICE are investigating and enforcing importer identity theft
- Impact of recent legislation permitting CBP to share more data with rights holders

2:30 **CBP Audit Plans and Priorities: How CBP is Selecting and Notifying Importers – and What to Expect Going Forward**

Cindy Covell

Executive Director, Regulatory Audit
Office of International Trade
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

- What triggers a CBP audit, and how CBP selects importers for audits/re-audits
- How a company is notified and how to respond
- How CBP is using statistical sampling plans for audits and prior disclosures: How new rules are being applied in practice
- What CBP looks for, and the most common areas of non-compliance that are identified
- New audit plans and priorities for 2012 and beyond

3:00 Networking Refreshment Break

3:15 **Determining When and How to Join the ISA Program: How to Satisfy Strict CBP Standards for Internal Controls**

Florence Constant

Chief, Partnership Programs Branch
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

Meredith Covey

Director, Customs Operations and Compliance
Williams-Sonoma, Inc. (San Francisco, CA)

Robert J. Pisani

Partner
Pisani & Roll LLP (Washington, DC)

- Recent changes to the ISA program, and their impact on applicants and participants
- How to determine if your company is "ISA ready"
- Lessons learned from ISA certified companies
- Securing senior management buy-in for an ISA compliance program
- Satisfying strict internal controls and system requirements for ISA participation, including:
 - valuation, classification, trade preference and other internal controls
 - compliance manual program requirements
 - sample size and self-testing
- Working with CBP throughout the process, and educating CBP on your business
- How CBP assesses internal controls, and common areas of weakness that need to be remedied
- When your subsidiaries should submit an application
- Meeting ISA's annual reporting expectations
- Disclosure requirements
- Continuation review meetings: How they differ from application review meetings and focused assessments

4:15 **Prior Disclosures: Maximizing Payment Reductions with Offsetting, and Limiting Exposure**

Stuart P. Seidel

Partner
Baker & McKenzie LLP (Washington, DC)

Offsetting

- How CBP will apply the new regulation permitting offsets in prior disclosures
- How the offsetting provisions will apply to pending prior disclosures filed prior to the effective date of the revised regulations
- How CBP will review and evaluate prior disclosures for offsetting purposes
- Identifying the best situations for the use of offsetting in prior disclosures, including tariff classification, valuation and transfer pricing errors

Submitting a Prior Disclosure

- Key factors that should guide your decision
- How to secure senior-management buy-in for submitting a prior disclosure: Explaining why it's a good idea to "pay up"
- Determining the scope of your disclosure: How far back you should go
- When to submit a disclosure if a CBP formal investigation has begun
- How to complete the disclosure process and ensure credit is received
- Submitting disclosures that involve non-compliance by multiple ports and/or a large volume of entries
- Paying duties and interest: How and when a tender should be made

5:00 **Managing the Nationwide Impact of *The California Transparency in Supply Chains Act*: Reducing Legal and Reputational Risks through Training, Verification, Audit and Disclosure Mechanisms**

Melanie Brown

Registered In-House Counsel
Director Global Trade Compliance
Silicon Image, Inc. (Sunnyvale, CA)

Sarah A. Altschuller

Attorney
Foley Hoag LLP (Washington, DC)

- Determining if your company is subject to the legislation: The broad scope of industries affected
- Assessing corporate policies and supplier practices: Measuring the risk of forced labor or human trafficking
- Implementing review, audit and verification mechanisms to assess third party compliance with your human rights policies
- How to respond if employees or contractors fail to comply with company human rights policies
- Reviewing your vendor standards, vendor agreements and vendor communications addressing human rights issues.
- Auditing suppliers for compliance with corporate human rights policies
- Training personnel to foster company-wide compliance
- Complying with disclosure requirements: Drafting a corporate statement on social compliance for posting on your website
- Avoiding the legal and reputational consequences of non-compliance, including injunctive relief and bad press

5:45 **Conference Adjourns**

DAY 2-THURSDAY, JUNE 21, 2012

8:30 **Opening Remarks from the Co-Chairs**

8:35 **Streamlining the Application of U.S. Customs Regulations: The Latest on CBP's Centers of Excellence and Simplified Entry System**

Jeremy Baskin

Senior Advisor to the Executive Director,
Regulations and Rulings, Office of International Trade
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

Anne Maricich

Assistant Director, Trade
Los Angeles Field Office
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Los Angeles, CA)

Jill Franze

Director Global Customs
Cisco Systems, Inc. (Sacramento, CA)
Trusted Partner Account, Electronics Industry Center – Los Angeles

At this invaluable session, you will hear directly from senior CBP officials responsible for the implementation of two key initiatives to streamline the application of U.S. customs regulations and data entry across the U.S. You will also take away insights from an industry participant in a Center of Excellence, who will discuss their recent experiences, and what this initiative will mean for importers going forward.

9:30 **Implementing the C-TPAT 5-Step Risk Assessment Process, and Preparing for Foreign Revalidations**

Kelly Schultz

Manager, Global Supply Chain Security
Target Corporation (Minneapolis, MN)

Billie J. Henry

Senior Analyst, U.S. Import Planning & Compliance
Eli Lilly and Company (Indianapolis, IN)

- Best practices for following the 5-step risk assessment model
- Incorporating threat and vulnerability risks/red flags into the C-TPAT assessment
- When and how often to conduct assessments
- Documenting information and rationale for risk assessment to support your approach
- Who conducts foreign revalidations, the process timeframe and how to expedite it
- Preparing for foreign revalidations, and what to expect
 - is the scope of the review determined in advance?
 - what to do before the CBP visit
 - ensuring that your recordkeeping is compliant and up-to-date
 - what questions CBP asks

10:15 **Networking Coffee Break**

10:30 **The Largest Customs Penalties of the Year and Lessons Learned**

Alan C. Cohen

Senior Attorney, Penalties Branch
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

- The biggest red flags or errors that led to a penalty action when a company failed to act with reasonable care
- CBP enforcement plans and priorities going forward
- What triggers a CBP investigation
- Updates on increased enforcement of special duty programs including NAFTA, GSP, FTAs, and American Goods Returned
- How penalty cases are initiated and critical errors made by companies when petitioning for relief
- How CBP determines the civil penalty amounts and the asserted level of culpability
- How settlement or "offer in compromise" procedures work

11:00 **Satisfying Rigorous FTA Compliance and Audit Requirements: The Most Costly Origin Determination and Other Compliance Missteps that Trigger a Failing Grade**

Claib Cook

Director, Global Customs Operations
General Motors (Detroit, MI)

Doug Whitman

Trade Compliance Manager
3M Company (St. Paul, MN)

Richard M. Wortman

Partner
Grunfeld, Desiderio, Lebowitz, Silverman, & Klestadt, LLP
(Los Angeles, CA)

- Leveraging internal compliance resources for FTA compliance, including how to develop business processes for NAFTA rule changes, Korea, Panama and Columbia agreements
- Israel and Middle East FTA rules of origin vs. APAC agreements
- Conducting origin determinations to qualify for duty-free treatment under FTAs

- Assessing the risks of relying on vendor certification
- Justifying origin determinations: Level of required proof, and how to re-trace the entire production and purchase cycles
- What triggers an FTA audit, and who conducts them
- The biggest reasons for failing an FTA audit
- What to expect during an audit
- Implementing and maintaining compliant recordkeeping in preparation for the audit
 - how far back you need to keep records
 - obtaining records from foreign supply chain members and evaluating them in advance
- Ensuring validity of NAFTA certification
- The scope of auditor access rights to your records and other items: How to respond and cooperate while preserving your rights

12:00 **Networking Luncheon for Attendees and Speakers**

1:15 **The Transition to ACE and What It Means for Importers: How CBP is Rolling Out New Functionalities and Managing the Process**

Cynthia D. Allen

Executive Director for ACE Business
U.S. Customs and Border Protection
U.S. Department of Homeland Security (Washington, DC)

Leman G. (Chip) Bown, Jr.

Managing Director, Regulatory Compliance
FedEx Trade Networks Transport & Brokerage, Inc.
ACE Participant (Buffalo, NY)

Benefit from first-hand insights on the latest CBP efforts to complete the ACE transition, and how this has impacted industry participants. Amid new developments and upcoming plans for further implementation, don't miss this unique opportunity to ask your questions, and gain best practices that you can apply to your daily work.

2:00 **What an Import Compliance Program Should Look Like in 2012 and Beyond: How to Evolve Your Program to Manage Heightened Requirements and Enforcement Risks**

Roger McCrary

Vice President Global Compliance and Senior International Trade Counsel
Momentive, Inc. (Columbus, OH)

David Reynolds

Import Manager
Office of Internal Governance – Global Trade Controls
The Boeing Company (Seattle, WA)

Erika Vidal Faulkenberry

Customs & Trade Compliance Manager
The Hershey Company (Hershey, PA)

Catherine L. Garfinkel

General Attorney – International
United States Steel Corporation (Pittsburgh, PA)

- Resources, tools and techniques leading companies are using to implement, manage, and monitor an import compliance program
- Selecting the optimal structure for your import compliance department
- What resources companies are expected to devote to import compliance
- Getting management buy-in: Arguments that resonate
- Training and monitoring employee compliance

- Automating the customs process
- Reviewing and upgrading internal controls related to imports to better meet security requirements
- Training supply chain partners on evolving security requirements

3:15 **Networking Refreshment Break**

3:30 **Applying Massive HTS Classification Changes and Recent Case Law: Navigating the Fine Line between Tariff Engineering and Duty Evasion**

Michael L. Utchell

Director, Customs & Logistics
DRS Technologies (Arlington, VA)

Kenneth G. Weigel

Partner
Alston & Bird LLP (Washington, DC)

- Recent changes to the Harmonized Tariff System and how to implement them in practice
- 2012 massive changes to HTS numbers: How to manage the impact and update your database
- Classifying “sets”: The cross-industry impact of the *Estée Lauder* case
- How to improve your classification process and when to target products for comprehensive classification review
- Tariff Engineering: Coordinating business practice and tariff benefits
- Distinguishing between tariff engineering and duty evasion

4:30 **Importing FDA-Regulated Goods: Satisfying New Safety Requirements and Agency Compliance Expectations**

Domenic Veneziano

Director, Division of Import Operations and Policy
U.S. Food and Drug Administration (Washington, DC)

Brian White

Senior Manager for Global Trade Compliance
Del Monte Corporation (San Francisco, CA)

Dara Katcher Levy

Of Counsel
Hyman, Phelps & McNamara PC (Washington, DC)

- How the FDA works with CBP and DOJ for enforcement purposes
- How CBP and FDA are working together to implement the new *Food Safety Modernization Act*
- How FDA has ramped up enforcement efforts, and priorities going forward
- FDA penalty trends, and how they are calculated
- What triggers FDA detention and seizure of goods
- Working with the FDA to obtain release of your goods
- Key differences between the new and old food safety requirements
- What FDA expects for monitoring supply chain security: Requirements for testing, internal assessments, and import compliance policies and procedures
- Complying with changes to the prior notice process:
 - additional checks that are now required
 - what is the responsibility of the importer vs. consignee
- Update on FDA roll-out of a voluntary importation program
- Determining who your agent is under the new legislation

5:30 **Co-Chairs' Closing Remarks and Conference Concludes**

IMPORT COMPLIANCE & ENFORCEMENT

How to Resolve Critical Compliance, Valuation, Supply Chain, Audit and Origin Determination Challenges

June 20 – 21, 2012 • DoubleTree by Hilton • Washington, DC

KEYNOTE SPEAKERS FROM:

- ✓ U.S. Customs and Border Protection
- ✓ U.S. Department of Homeland Security
- ✓ U.S. Immigration and Customs Enforcement
- ✓ U.S. Food and Drug Administration

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PRIORITY SERVICE CODE

728L12_INH

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CONFERENCE CODE: 728L12-WAS

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NAME	POSITION	
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I would like to receive CLE accreditation for the following states: _____ . See CLE details inside.

FEE PER DELEGATE	Register & Pay by April 27, 2012	Register & Pay by May 25, 2012	Register after May 25, 2012
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Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches and refreshments.

Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

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 Reservations: 202.232.7000 or 800.492.5195

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