



# Global Trade Compliance

(As you've never seen it before)

**MAY 4-5, 2010**

Intended for Senior Global Trade Compliance Professionals

- Roundtable Discussions
- Extensive Document Exchange
- Benchmarking Survey
- Practical advice - not a primer on what the law is

**Global Trade  
Compliance  
Workshop**

at The Center for American and International Law | Plano, Texas

## WHY THIS WORKSHOP IS DIFFERENT:

Members of the faculty have agreed, as a condition of participation, to share best practices and to deliver an extensive set of international trade compliance tools. Among the handouts: subject matter bibliographies, checklists, policy documents and training materials.

14 hours of MCLE Credit Available.

## Why you should attend ...

Intended for senior global trade compliance professionals at multinational corporations, the program will not be a primer on what the law is – our intended audience knows the rules. Instead, the faculty presenters will provide, discuss and analyze the kind of practical, real world advice they offer and the compliance tools they implement to assure those rules are followed.

Chatham House Rules will be in effect to foster a full discussion among faculty and participants of what works and what doesn't work in the real world of international trade regulatory compliance.

We have intentionally set the bar high. The audience will be seasoned professionals. Members of the faculty have agreed, as a condition of participation, to share best practices and to deliver an extensive set of trade compliance tools. Handouts will include subject matter bibliographies, checklists, policy documents and training materials.

The format will include roundtable discussion to facilitate an exchange of ideas among seasoned senior trade compliance professionals from a wide variety of industries.

Attendees will be expected to contribute materials in advance to enrich the exchange of leading edge trade compliance tools and practices.

The program will also include attendee participation in a benchmarking survey that will result in a formal report of the findings, which will be shared with the participants.



**DANA G. NAHLEN**  
Program Co-Chair  
Director, International Compliance  
SunGuard Systems

**SCOTT E. SULLIVAN**  
Program Co-Chair  
Vice President  
Global Trade and Compliance Counsel  
Flowserve Corporation

**ARVIND SHARMA**  
Program Co-Chair  
Senior Export/Import Counsel  
Military/Nuclear/Technology Transfer  
Flowserve Corporation

### Tuesday, May 4

#### 8:30 WELCOME AND INTRODUCTIONS

**Michael J. Marchand**  
*President*  
*The Center for American and International Law*

#### 8:35 GENESIS OF THE PROGRAM AND WHAT TO EXPECT

**Dana G. Nahlen** — Program Co-Chair  
*Director, International Compliance*  
*SunGuard Systems*

**Scott E. Sullivan** — Program Co-Chair  
*Vice President*  
*Global Trade and Compliance Counsel*  
*Flowserve Corporation*

#### 8:45 EFFECTIVELY MANAGING THIRD PARTY RELATIONSHIPS AND EXPECTATIONS REGARDING TRADE COMPLIANCE

- Managing Diversion Risk
- Scope and Method of Training Provided to Third Parties
- Exercising Contractual Audit Rights
- Conducting Effective Due Diligence

**Ben H. Flowe, Jr.**  
*Berliner Corcoran & Rowe, LLP*

9:55 **BREAK**

**10:05 REDUCING FCPA RISKS IN YOUR DEALINGS WITH CUSTOMS BROKERS AND IMMIGRATION CONSULTANTS**

- Recent FCPA Enforcement Actions Dealing with Customs and Immigration Issues
- Considerations in the Retention and Management of Customs Brokers and Immigration Consultants
- Practical Tips to Reduce Requests for Improper Payments from Customs and Immigration Officials

**Homer E. Moyer, Jr.**

*Member  
Miller & Chevalier*

11:15 **BREAK**

**11:25 MANAGING TECHNOLOGY TRANSFERS AND DEEMED EXPORTS**

Managing Export-Controlled information: It all starts with jurisdiction and classification

How to manage basic and advanced technology export, reexport and deemed export issues

- Situations you may face and war stories that may help you avoid problems in the future.
- Examining techniques and documents used by companies and outside counsel to manage and control technology and IT-related export issues

**Janet Rishel**

*Global Trade Compliance Manager  
Bell Helicopter*

**Eric McClafferty**

*Partner  
Kelley Drye Warren LLP*

**12:40 WORKING LUNCH — LEADING PRACTICES AND BENCHMARKING SURVEY — DEVELOPING A STRATEGIC DIRECTION FOR THE NEXT DECADE OF INTERNATIONAL TRADE**

Scope of responsibility and resource planning — where does the Legal Department fit in

- Evolution of customs valuation:
  - Utilization and coordination of transfer pricing documentation
  - Managing the increasing global inconsistency of customs authorities on elements of value
- Risky behavior of others: management or oversight of third party providers
  - Use of 3PLs for outsourcing
  - Anti-bribery via import/export controls; FCPA
- Fundamentals: the convergence of compliance, strategy and operational excellence
- Use of special customs programs (AEO, CTPAT/ISA); and
- Information Technology – accessing the benefits and avoiding the pitfalls

**Bryan J. Schillinger**

*Executive Director  
Customs & International Trade Practice  
Ernst & Young LLP*

**Kristine Price**

*Principal  
Customs & International Trade Practice  
Ernst & Young LLP*

2:00 **GLOBAL SUPPLY CHAIN SECURITY INITIATIVES IN 2010**

- Strategic Evaluation of GSCS Initiatives including C-TPAT, AEO, AEO Asia, etc.
- Reciprocity Issues and a Comparison of Programs
- What Senior Executives Need to Focus On

**Dennis Forhart**

*Worldtrade Management Services – Director  
PricewaterhouseCoopers*

3:10 **BREAK**

3:20 **TRADE COMPLIANCE IN EMERGING MARKETS**

- Dealing with export controls, reexport controls and technology transfer issues in emerging markets, including Latin America, Eastern Europe and Asia
- What companies doing business in Latin America and other emerging markets need to know about customs and import formalities
- How to handle free trade agreement validations conducted in Mexico and other emerging markets

**Douglas N. Jacobson**

*Member  
Sandler, Travis & Rosenberg, P.A.*

**Claudia Medellin**

*Managing Director  
Sandler & Travis Trade Advisory Services de Mexico*

4:30 **U.S. ANTIBOYCOTT COMPLIANCE IN PRACTICE**

- Identifying and assessing antiboycott compliance risks, including risks associated with the finance, logistics, sales, contracts and intellectual property functions
- Current examples of boycott-related requests under the Commerce and Treasury rules and practical tips and tools for addressing them
- Managing compliance risks; developing an effective anti-boycott compliance program

**Paul Luther**

*Partner  
Baker Botts*

5:40 **RECEPTION**

6:30 **HOSTED DINNER**

**Wednesday, May 5**

**8:30 LEADING PRACTICES AND BENCHMARKING SURVEY — DEVELOPING A STRATEGIC DIRECTION FOR THE NEXT DECADE OF INTERNATIONAL TRADE (Continued from the lunch session on Day 1)**

10:30 **BREAK**



#### 10:45 MANAGING TRADE COMPLIANCE CONFLICTS OF LAWS

This panel will address the problem of recurring conflicts between U.S. and foreign laws in the export control context. The focus will be on conflicts created by:

- Extraterritorial measures blocking statutes: an example is the conflict between the U.S. embargo on Cuba and the Canadian Foreign Extraterritorial Measures Act.
- Export control requirements under the U.S. International Traffic in Arms Regulations and various human rights, anti-discrimination, and privacy laws.
- Relationship between internal compliance investigations and data privacy/protection in the EU and Canada.

##### **Julia Court Ryan**

*Of Counsel*

*Steptoe & Johnson LLP*

##### **Brenda C. Swick**

*Partner*

*McCarthy Tétrault*

#### 11:45 HOSTED LUNCH

#### 1:00 ENSURING EFFECTIVENESS OF TRADE COMPLIANCE TRAINING — COMMUNICATION AND COORDINATION: ILLUSTRATIONS TO STRENGTHEN YOUR EXPORT COMPLIANCE

This panel will explain the value of using simple tools to clarify complex information. Practical ideas will be presented on how organizations can communicate effectively and coordinate on export control issues to better adapt to the changing trade compliance enforcement climate so that parties have a genuine understanding of the process from start to finish.

##### **Brooke Butler**

*Managing Director*

*Globaleyes, LLC*

##### **Saul M. Pilchen**

*Partner*

*Skadden, Arps, Slate, Meagher & Flom LLP*

##### **Natalia G. Shehadeh**

*Director, Trade Compliance Group*

*Office of Global Compliance*

*Weatherford International Ltd.*

#### 2:00 MEANINGFUL TRADE COMPLIANCE METRICS AND RISK MEASURING PROCESSES FOR REPORTING TO EXECUTIVE MANAGEMENT AND THE BOARD

- How do you identify and measure risk in your company?
- Operational Metrics for US Import/Export and non-US Export Compliance Risk
- Transfer Pricing and Contingent Liability Risk and Reporting

##### **Andy Siciliano**

*Partner*

*KPMG Trade and Customs Practice*

##### **Michael McGee**

*Senior Manager*

*KPMG Trade and Customs Practice*

#### 3:00 BREAK

#### 3:15 OPERATIONALIZING COMPLIANCE: SPECIFIC ISSUES IN THIRD PARTY DUE DILIGENCE, CUSTOMS VALUATION, AND INVESTIGATIONS

- Do's and Don'ts When Implementing a Third Party Due Diligence Program
- Globalizing Customs Valuation in Related Party Transactions and Compliance Issues Related to Retroactive Price Adjustments
- Improving Compliance in the Course of an Investigation

##### **Celine Gerson**

*Deputy Chief Compliance Officer*

*Cameron International*

##### **Michele McGuire**

*Principal, US Practice Leader*

*International Tax*

*Global Trade Solutions*

*Strategy – Automation – Customs/Export Compliance*

*Deloitte Tax LLP*

##### **Mark J. Rochon**

*Member*

*Miller & Chevalier*

#### 4:15 CONCLUDING COMMENTS

##### **Arvind Sharma**

*Senior Export/Import Counsel*

*Military/Nuclear/Technology Transfer*

*Flowserve Corporation*

#### 4:20 ADJOURN

## GENERAL INFORMATION

#### **DIRECTIONS TO THE CENTER FOR AMERICAN AND INTERNATIONAL LAW:**

For a detailed map and directions, please visit [www.cailaw.org](http://www.cailaw.org) or call 972.244.3400. The Center is located at 5201 Democracy Drive, Plano, Texas 75024.

**CANCELLATION POLICY:** Written notice must be received by April 28, 2010. (Email: [cburkel@cailaw.org](mailto:cburkel@cailaw.org)) After this date, no refunds, but substitution of attendees for this program will be permitted if you call Sue Bliss at 972.244.3417. Registrants not entitled to a refund will receive the course materials.

**NONDISCRIMINATION POLICY:** The Center for American and International Law does not discriminate on the basis of race, sex, sexual orientation, color, religion, national origin or ancestry, age, disability, veteran status or any other protected status.

**HOUSING:** The cost of housing is not included in the course registration fee. However, rooms (in limited number) have been reserved at the Embassy Suites, 7600 John Q. Hammons Dr., Frisco, TX 75034. Registrants should call 972-712-7200 and advise them that you are attending the International Corporate Compliance program. A reduced room rate of \$149 is available. The last day to obtain this special rate is April 14, 2010.

**MCLE CREDIT:** This course has been approved by the State Bar of Texas for 14 hours. Course ID Number: 901199557. Sign-in sheets and/or certificates of attendance will be available for ALL states.

## FOUR WAYS TO REGISTER

### ONLINE

credit card only  
www.cailaw.org

### FAX

credit card only  
972.244.3401

### PHONE

credit card only  
972.244.3400 or  
800.409.1090  
8:30 am - 5:00 pm

### MAIL

check or credit card  
The Center for American  
and International Law  
5201 Democracy Drive  
Plano, TX USA 75024  
972.244.3400

CONFIRMATIONS WILL BE SENT  
TO ALL REGISTRANTS

## REGISTRATION

The Center for American and International Law • Plano, Texas

# International Corporate Compliance Global Trade Compliance Workshop

May 4-5, 2010

### Mark the appropriate box:

- Regular Registration Fee  \$995
- Institute for International and  
Comparative Law Members:
- Advisory Board Member  \$795
  - Other Representatives of  
IICL Members  \$895
  - Government Employees  \$795

*Payments must accompany registration.  
Confirmations will be sent to all registrants.*

## Presenting Firms and Corporations



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& ROSENBERG, P.A.



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**INTERNATIONAL CORPORATE COMPLIANCE  
GLOBAL TRADE COMPLIANCE WORKSHOP**  
THE CENTER FOR AMERICAN AND INTERNATIONAL LAW  
5201 DEMOCRACY DRIVE  
PLANO, TX USA 75024

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**PLEASE NOTE:** The Center for American and International Law utilizes outside mailing lists. If you receive a duplicate of this announcement, please pass it along to an interested colleague.

To view a detailed map and directions to The Center for American and International Law, please visit our website at [www.cailaw.org](http://www.cailaw.org). Our main number is 972.244.3400.



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INSTITUTE FOR INTERNATIONAL  
AND COMPARATIVE LAW



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