

NON-U.S. TRADE CONTROLS: A DEEPER DIVE



Presented by the North Texas District Export Council
Richland College
May 18, 2009



PROGRAM AGENDA

7:00 AM – 8:00 AM Registration/Continental Breakfast (Auditorium Foyer)



8:00 AM – 8:30 AM Welcome, Introductions & Sponsor Recognition (Auditorium)

Program Introduction: Daniel Ogden, North Texas District Export Council Second Vice-Chair (Moderator)
North Texas DEC Welcome: Shirley Heald, North Texas District Export Council Chair
USEAC Welcome: Daniel Swart, U.S. Commercial Service North Texas Export Assistance Center
Richland College Welcome: Dr. Steve Mittelstet, President, Richland College

8:30 AM – 10:00 AM Trade Compliance in Europe Panel (Auditorium)

European Trade Controls: Key Aspects and Practical Implications

Traditionally, the lack of information regarding European trade controls has presented a significant hurdle for firms to overcome when they attempt to develop a comprehensive global trade compliance program. Often, companies either guess at the requirements or place less importance on European trade controls with the hope that government agencies will not conduct a compliance review. This Panel will examine the sources of trade controls in the EU and UK and the practical aspects of conducting business under those trade control programs, and will provide practical guidance for companies to effectively manage the de-centralized approach followed in Europe with respect to trade compliance. In particular, it will focus on the following issues that companies face when doing business in Europe:

- The key aspects and practical implications of European import and export regulatory systems;
- An overview and benefits of the Authorized Economic Operator (AEO) program in the EU;
- The management of differences between U.S. and European sanctioned country regulations.

Panel

Arvind Sharma, Esq., Flowserve Corporation (Moderator)



Andre Van Landuyt, Esq., Kelley Drye & Warren LLP (Belgium)



Ross Denton, Esq., Baker & McKenzie LLP (United Kingdom)



Brian Mulier, Esq., Bird & Bird (Netherlands)



Sunwinder Mann, Esq., Baker & McKenzie LLP (United Kingdom)



10:00 AM – 10:15 AM Morning Break (Auditorium Foyer)

Exhibitor tables

10:15 AM – 11:45 AM Trade Compliance in the Americas Panel (Auditorium)

Finding Common Ground: Challenges and Opportunities Regarding Trade Controls in the Americas

This Panel will examine in a nutshell the trade control regimes of several countries in the Americas. In particular, it will focus on recent developments and compliance requirements in trade controls, contrasts and similarities between differing countries, the implications for firms doing business in this region, practical tips and advice from experts in these countries, and the do's and don'ts to avoid penalties. The following topics will be addressed:

- Canada - Consistencies and conflicts with U.S. controls, Cuban embargo, ITAR vs. Canadian law;
- Mexico - Foreign trade regime, import duties, IMMEX, Chinese imports antidumping duties, NAFTA;
- Brazil - 2009 updates to the Brazilian Trade Control Regulations, Decree 6759/09, SISCOMEX Carga;
- Argentina - Import regulations and duties, export limitations, contrasts with the U.S.;
- Chile - FTA overview, export limitations, contrast in regulations between Argentina and Chile;
- Costa Rica - FTA, telecommunications and insurance, importing/exporting taxation incentives.

Panel

Olga L. Torres, Esq., Braumiller Schulz LLP (Moderator)

Braumiller  Schulz & Co. LLP

John Boscariol, Esq., McCarthy Tétrault (Canada)

McCarthy
Tétrault

Turena Ramirez, Esq., Basham, Ringe y Correa (Mexico)


BASHAM
1912

Daniel Ishihara, Esq., Perez Gardini LLC (Brazil)


PEREZ GARDINI LLC
ATTORNEYS/ABOGADOS

Jean Menager, Consultant (Argentina/Chile)

JEAN M. MENAGER
CONSULTANT

Pablo Ugalde, Esq., Legal Corp Abogados (Costa Rica)


LEGAL CORP & CSP
ATTORNEYS AT LAW

11:45 AM – 12:15 PM Lunch (Brazos Gallery)

Tex-Mex Buffet

12:15 PM – 12:45 PM Keynote – Global Enforcement Collaboration (Brazos Gallery)

Project Shield America: Counter-Proliferation Investigations

Dean Fittz, Special Agent, U.S. Immigration and Customs Enforcement (ICE)

 U.S. Immigration
and Customs
Enforcement

12:45 PM – 2:15 PM Trade Compliance in Asia/Pacific Panel (Auditorium)

Developments in Asia/Pacific Region Trade Compliance

The growing amount of U.S. trade with the Asia/Pacific region coupled with a greater emphasis in the region on trade controls has increased the focus on trade controls compliance in this area of the world. This Panel will feature several experienced speakers from government and the private sector who will discuss the following topics:

- Setting the stage: what U.S. companies need to know when exporting to China;
- The nuts and bolts of China's export controls and licensing system;
- Understanding China's import system on used equipment, encryption and other products;
- What you need to know about Chinese technical standards on imports;
- Japan's export controls and licensing system: perspective from the Government of Japan;
- What you need to know about Hong Kong's export controls regime.

Panel

Douglas N. Jacobson, Esq., Sandler, Travis & Rosenberg, P.A. (Moderator)



Kelly Chen, Esq., The Vernon Law Group



John Larkin, LTI Associates



Nina Hsu, LTI Associates

The Honorable Satoshi Miura, Japanese Embassy, Washington, D.C.



2:15 PM – 3:15 PM New/Old Technology Transfer Issues in a Global Economy Panel (Auditorium)

Global Technology Transfers Compliance Management

For most companies, maintaining proper controls over the export of technology is difficult even when the company is solely looking at U.S. trade regulations. In a global environment, however, a company cannot afford to focus solely on the usual trade regulations and must also consider other regulatory requirements such as data protection/privacy laws and encryption controls. With this in mind, this Panel will examine the following issues that firms face when dealing with transfers of technology:

- Practical approaches to managing deemed exports and re-exports involving diverse personnel;
- Conflicts between U.S. export control requirements and data protection/privacy laws;
- Effective management of the ever-changing landscape of encryption controls.

Panel

Eric McClafferty, Esq., Kelley Drye & Warren LLP (Moderator)



Christopher J. Halloran, Deloitte Tax LLP



Matthew Cunningham, JPMorgan



Dan Chapman, Esq., Baker Hughes Incorporated



3:15 PM – 3:30 PM Afternoon Break (Auditorium Foyer)

Exhibitor tables

3:30 PM – 4:45 PM Managing Global Trade Compliance – Outside Perspective Panel (Auditorium)

Global Trade Compliance Management Design and Structure: An External Viewpoint

A comprehensive and effective compliance management program is the key to avoiding trade compliance issues. This is particularly true when dealing with trade compliance on a global scale. External advisers can play a crucial role in designing global compliance management programs for exporters and multinational firms. This Panel will focus on the design and structure of compliance management programs from the viewpoint of outside counsel and consultants regarding:

- Multilateral and non-U.S. export controls compliance management;
- Non-U.S. import controls and customs enforcement compliance management;
- Trade controls compliance strategic planning;
- Trade controls compliance management internals design and structure.

Panel

Daniel Mark Ogden, Esq., Attorney at Law (Moderator)



Douglas N. Jacobson, Esq., Sandler, Travis & Rosenberger, P.A.



Michele E. McGuire, Esq., Deloitte Tax LLP



Michael A. Roybal, Esq., RoybalGlobal P.C.



Brooke Butler, Eagle Compliance Company



4:45 PM – 5:30 PM Managing Global Trade Compliance – In-house Perspective Panel (Auditorium)

Managing Global Trade Compliance from the Trenches: A Company Perspective

Effectively and efficiently implementing and managing a global trade compliance program ultimately falls squarely in the lap of a company's global trade compliance manager. This Panel will examine the challenges, opportunities and pitfalls involved in deploying and managing such a program with a particular emphasis on:

- Tips selling global trade compliance and securing senior management buy-in and support;
- Managing global trade compliance in a cost effective and efficient manner;
- Traps for the unwary including conflicts and inconsistencies.

Panel

Scott Sullivan, Esq., Flowserve Corporation (Moderator)



Bobby Butler, Universal Weather & Aviation



Diane Divin, Mary Kay Inc.



5:30 PM – 7:00 PM Meet & Greet Reception (Auditorium Foyer)