

# 2017 TRADE COMPLIANCE AND POLICY SEMINAR

## Two-Day Seminar Agenda

### Day One

#### Import Compliance General Awareness

**As an Importer of Record you are required by law to demonstrate “reasonable care.”** On December 8, 1993, Congress passed Title VI of the North American Free Trade Agreement Implementation Act, commonly called the “Customs Modernization Act” (Mod Act). Under the Mod Act, importers are required to exercise “reasonable care” in making entry with Customs. As an Importer of Record, you must know and adhere to the import regulations that pertain to your product. In this session, the Trade Policy Team will provide an overview of the import regulations that affect all industries and the pitfalls that generally place a company in risk of noncompliance.

#### What should be in your import compliance manual?

**Every importer should have an import compliance manual. Period.** If you import into the Customs Territory of the United States, an import compliance manual should be at the core of your import compliance program. What should this manual consist of? We will walk you through what should, and *should not*, be in your import compliance manual. You will obtain helpful tips on how to structure the manual and who in the organization should be engaged in creating, distributing and executing it.

#### Risk Management

##### **When was the last time you thoroughly examined the risk to invested capital during international transit?**

Within your organization, who is responsible for assessing the risk to cargo during transit? If you're not sure of the answer, the person responsible might be you! During this section of the seminar our team will outline the legal liability limits of international cargo carriers, the pitfalls of commonly used Incoterms® and the communication divide within organizations that can put invested capital unnecessarily at risk. We will also discuss risk transfer techniques, insurance and coverages readily available in the marketplace that are not widely utilized.

#### How do you perform an import entry audit?

**Once you have general awareness of import compliance and know how to develop an import compliance manual, what's next?** It all comes back to “reasonable care.” To comply with U.S. Import Regulations, the Importer of Record must ensure it has appropriate checks and balances. One of the most important “checks” is to perform Entry Audits. Our Trade Policy Team will walk you through a tried and true process to perform transactional entry auditing from gathering records through completing an Entry Audit Checklist and will provide documentation to help you perform entry audits for your organization.

#### How do you classify your product?

**Product Classification is the single most important step in the importing process.** As an Importer of Record you are solely responsible for determining your classification. Are you confident in your abilities? In this session attendees will learn the history of the Harmonized Tariff Schedule of the United States (HTSUS), the correct usage of the General Rules of Interpretation (GRIs) and the step-by-step process of determining and documenting your methodology for product classification.

#### How do you confirm free trade agreement eligibility?

**Free Trade Agreements (FTA) are a viable option for minimization of duty outlays for an organization, but of utmost importance and concern is an organization's process for determining eligibility for FTA usage under the myriad of regulations.** During this session attendees will be educated and instructed on several of the more popular FTAs (e.g., NAFTA, GSP, Korea FTA, etc.). After this session you will be able to make informed decisions about whether a product is eligible for duty free treatment and to review current products to ensure they are still viable under an applicable FTA.



## Roundtable Discussion

**Do you have additional or off-topic questions that were not addressed during today's sessions?** The presenters will avail themselves at the end of the day to publicly address any additional questions that the attendees might have. Additionally, we will be available for side bar conversations as needed at the end of the seminar.

## Day Two

### Export General Awareness

**Exporting is a privilege not a right!** Companies and individuals must understand their requirements and liabilities when exporting out of the United States. It is critical for both companies and individuals who export goods, services and technology to understand and adhere to the myriad of different export regulations enforced by *multiple* federal agencies. In this session we review the basics regarding the various export regulations of the United States. We will cover a general awareness of what an "export" actually is, what the various export regulations are, what agencies are responsible for enforcing these regulations and what responsibilities you have if you are going to export goods, services or technology.

### What should be in your export compliance manual?

**Every Exporter should have an export compliance manual. Period.** Which agencies control the export of your product? What types of policies and procedures need to be in place to satisfy the governmental agencies that control your U.S. exports? Who within your organization should be responsible for, or share responsibility for, the execution of policies and procedures? We will walk you through what should be in your export compliance manual, discussing how to structure the manual and who in the organization should be engaged in creating, distributing and executing it.

### How do you perform an EEI filing audit?

**Once you have awareness of general export compliance and know how to develop an export compliance manual, what's next?** Just as with importing, it all comes back to "reasonable care." In order for a United States Principal Party in Interest (USPPI) to operate in compliance with the "procedural" piece of exporting, the company must ensure it has appropriate checks and procedures in place. One of the most important "checks" is the performing of EEI Filing Audits. Our Trade Policy Team will walk you through a tried and true process to perform transactional EEI auditing from gathering records through completing an EEI Audit Checklist. You will also receive documentation to help you perform these audits for your organization.

### How do you determine your ECCN and whether or not a license will be needed?

**The most important classification in an export transaction is the Export Control Classification Number (ECCN). This, in combination with the country of ultimate destination, will determine if an export license is required.** During this session attendees will learn what an ECCN is, gain an overview of the Commerce Control List and explore how the reasons for control, in combination with the Country Chart, will determine export licensing. You will also be introduced to a full review of many of the more common License Exceptions and their application.

### Should you implement a Shipper's Letter of Instruction (SLI)?

**It is the USPPI's responsibility to provide certain information to its authorized agents for the export filings.** The information used to file an EEI must be communicated clearly and concisely to your agents. Although not a proscribed requirement, an SLI can be used to accomplish this task. In this session, the presenter will walk through the elements of an SLI and provide you with an example of an SLI that could be implemented by your organization to communicate the data elements of an export to your authorized agents.

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## Did you know you can receive CCS/CES credit for attending these seminars?

The Trade Compliance & Policy Seminars are now credit approved. The National Customs Brokers & Forwarders Association of America, Inc. (NCBFAA) and National Education Institute (NEI) are offering Certified Customs Specialist Certification (CCS) and Certified Export Specialist Certification (CES) to attendees to become competent and knowledgeable in the current import and export regulations. You can receive 4 CCS and/or CES credits for the one-day seminar and 5.5 CES/CCS credits for each day of the two-day seminar.



## Speaker Biographies

**Kevin Doucette** joined C.H. Robinson International, Inc. in 2009 after a decade as a Manager with a leading international trade and regulatory compliance consulting firm. Kevin is the Director of North American Trade Policy and Compliance for C.H. Robinson International, Inc. In this role Kevin oversees the external Consulting Division (Trade Policy), the internal Export Corporate Compliance Department, and both the internal Supply Chain Security Divisions for C-TPAT and TSA.

Kevin is experienced and well versed in the areas of U.S. import and export compliance and supply chain security. In his career, Kevin has worked with, and for, executive, director, and managerial leaders for many Fortune 500 companies. Kevin has provided various services to hundreds of importers to include import compliance mock audits, development of import internal controls and manuals, training, trade data analysis, determination of trade program eligibility, prior disclosure assistance, submission of binding rulings and various ad hoc activities. Similarly, Kevin has worked on numerous export projects and issues to include export licensing, implementation of export compliance programs, performing export audits, drafting Export Policy and Procedure Manuals and providing voluntary disclosures assistance and advice to name a few. Kevin has been at the forefront of the supply chain security movement and is credited for helping hundreds of importers obtain C-TPAT certification and validation. He has expertise in mapping supply chains, assessing supply chain risk, conducting facility and business partner audits, developing internal controls and conducting supply chain security training. Kevin is experienced in preparing importers and their supply chain business partners for the rigors of C-TPAT validation, both in the U.S. and abroad. He has done validations in North America, Europe and Southeast Asia.

Kevin has been a guest speaker at trade compliance conferences and seminars throughout the United States. He is a Licensed Customs House Broker and a member of C.H. Robinson's Corporate Compliance Council. Kevin is based in Woburn, MA, and can be reached at 978-496-6918.

**Jeff Simpson** joined C.H. Robinson International, Inc. in 2013 and is the manager of the Trade Policy Division, providing international trade and regulatory compliance consulting services to brokerage clients. Jeff has a diverse background that includes serving as an Officer in the United States Merchant Marine. For the past 15-plus years, he has worked in the consumer products, industrial, manufacturing and technology industries in various roles, including managing international supply chains, global transportation teams, import and export operations and global trade compliance. Most recently, Jeff was the director of global trade compliance for a Fortune 100 Company and was responsible for import and export compliance for all of their divisions globally. Jeff has created, implemented and managed cross-functional import and export compliance programs across multiple countries and continents at several companies. He sat on various professional panels for many international trade topics. Jeff holds a Bachelor of Science degree in Marine Engineering, a Master of Arts degree in History and International Relations and a Master of Science degree in International Logistics. He is a Licensed Customs House Broker and a Licensed Engineering Officer in the U.S. Merchant Marine. He holds a professional engineers license, is a certified 6 Sigma Green Belt and holds a certificate in International Maritime Law through the United Nations International Maritime Organization. Jeff is based in Hartford, CT and can be reached at 978-319-1289.

**Paul Smart** is the manager of global insurance, responsible for cargo risk mitigation within the Global Forwarding division of C.H. Robinson. Backed by his experience in several industries, he supports the company's clients through supply chain risk management assessments and risk transfer recommendations. Paul has more than 15 years in international logistics in roles that include risk management, trade management, acquisition integration, sales and strategic account management. He holds a commercial property and casualty insurance license from the State of Georgia and nonresident licenses in 49 States. Before beginning his international logistics career, Paul focused on property exposures—specifically, marine and shipper's interest cargo coverage—in the commercial insurance industry, representing one of the top five insurance brokerage firms in the world. He earned a Bachelor of Business Administration degree from Austin Peay State University and is based in Atlanta, GA. Paul can be reached at 404-494-8757.

