

JOE ELIAS VALENTINE, MBA, PMP[®], CUSECO[®]

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SENIOR GLOBAL TRADE COMPLIANCE PROFESSIONAL

Seasoned, creative, passionate global trade compliance leader with deep experience in ensuring regulatory and contractual compliance, analyzing legal issues, developing and implementing strategies, leveraging global efficiencies, achieving business goals, managing projects, improving productivity and processes for global organizations in the technology, manufacturing and trading industries.

- Top 10 ranked MBA, Certified PMP[®] and Certified U.S. Export Compliance Officer (CUSECO[®]) with hands on Government experience of regulatory compliance in customs, shipping and global trade. Dealt with Indian, US and Canadian Governments, ILO, IMO, British and Japanese Customs.
- Expert in customs, regulatory compliance, export controls, enforcement, import-export, audit, drawback, licensing, valuation, classification, pricing, contracts, arbitration, litigation, prosecution, shipping & logistics.
- Experienced in global business development and procurement, international trade, outsourcing in technology and manufacturing industries with work experience in USA, India and Canada.

SPECIALTIES

International Trade • Customs Law • Regulatory compliance • Import Export Controls • Shipping • Transfer Pricing • HTS Classification • GATT Valuation • Licensing • Anti-dumping • Drawback • Foreign Trade Zones • Export Incentives • Audits • Intelligence • Fraud Investigations • Cyber security • Rulings • Adjudication • Prosecution • Arbitration • Litigation • Drug Enforcement • EAR, ITAR, OFAC, FCPA, C-TPAT/AEO, NAFTA, FTA, EMCP • Indirect Taxation • Intellectual Property Protection • Negotiations • Procurement • Logistics • Contracts • Business Development • Product Development/Marketing • Project Management • Homeland Security / Anti-Smuggling • Research Export Controls • Vendor Management • IT Outsourcing • Pricing

PROFESSIONAL EXPERIENCE

Faculty in Global Trade Compliance, Dunlap Stone University, Phoenix, AZ, 2012 – to date

- Taught EAR and ITAR export compliance courses to trade professionals from the US and other countries.
- Published papers on “Classification of Halloween costumes”, “Should information found on the internet be considered to be in the “public domain” for the purposes of ITAR compliance?”, “Issues with standardization of the legal definition of export in both the EAR and the ITAR”, “Export Control Reform - Impact of recent changes in the ITAR on classification of components of the F-15SE and F/A-18 aircraft.”
- Answered Customs compliance queries and consulted on global trade compliance matters.
- Presented Export Controls and Research Compliance at Oregon State University Open Forum.
- Acknowledged as an expert by network of global trade compliance professionals from around the world.

Director, Global Trade Compliance, X-Wire Technology, Chapel Hill, NC, 2003 – 2012

- Set up offshore software development center in Free Trade Zone with licensed customs bonded warehouse to avail of duty exemptions on imported inputs and export incentives on software exports.
- Obtained EAR export license regulatory approvals with customs bonded warehouse license for computer software exports and ensured documentation and regulatory compliance for availing of tax benefits.
- Interacted with Legal and CPAs to finalize regulatory reports on export licensing and regulatory compliance, customs and tax in US and India, implemented Export Management Compliance Program.
- Drafted detailed Software as a Service Agreement for our auction software clients in consultation with attorneys and was responsible for ensuring contractual compliance and customer satisfaction.
- Filed responses to tax demand notices, utilized Right to Information Act to expedite tax refunds in India.
- Obtained provisional patent for “mass customization” approach to cyber security.
- Successfully planned, developed and implemented a strategy in collaboration with attorneys and CPAs for the exit of Hamon Compagnerie of France/Belgium from the Joint Venture with GEI in India which included a detailed financial analysis to create a case for arbitration and claim for damages.
- Drafted and filed successful petitions before the Company Law Board in consultation with our attorneys and CPAs to successfully resolve a 10 year old dispute between two former JV partners in a short period of two years resulting in a \$ 3.77 million settlement deal for the buyback of stock.
- Sourced new technologies, developed and implemented international collaborative arrangements, including joint ventures / technology licensing in manufacturing industry for oil, gas and power sectors.

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- Researched demand estimation and project feasibility for air-cooled heat transfer equipment for the oil sands sector in Alberta, Canada, prepared a feasibility study for setting up a fabrication unit to manufacture heat transfer equipment in a NAFTA country for the Canadian market with outsourced engineering design services and imported critical components from parent company, analyzed the implications of freight and customs duty levied on raw materials used in manufacture.
 - Worked with Fox Rothschild attorneys and technical expert involving filing counter claims, discovery, depositions and legal arguments before LA Federal Court to win a favorable settlement in a case of litigation involving contract law and intellectual property rights in our SaaS IT product.
 - Researched and confirmed income tax exemption under the Double Tax Avoidance Agreement for income earned from consulting services provided in US for India based company and exemption from service tax in India for service provider based outside India for services provided in India.
 - Represented the Corporation in *pro se* pleadings in arbitration involving contract, export control and intellectual property law conducted under the Commercial Arbitration Rules of the American Arbitration Association and won a favorable Award.
 - Provided services in global procurement, vendor management, customs classification, valuation, bonding, clearance for supply of imported materials and components for manufacture of heat transfer equipment.
 - Presented proposals to senior management for use of online reverse auctions in procurement to cut costs and improve quality.
 - Conducted risk management study using Monte Carlo simulation software for the development and launch of a new packaging product to electronically monitor patient compliance in drug regimen while ensuring HIPAA regulatory compliance.
 - Conducted product development and marketing of SAAS online auction software for asset disposition.
 - Conducted competitive analysis, evaluation, business process analysis and selection of CRM software for Duke University.

Deputy Director General of Shipping, Ministry of Shipping & Transport, Government of India, (Administration, HR, Legislation, Regulatory Compliance, Shipping development, Labor) 1999 – 2001

- Managed the work of teams of associates nation wide and was tasked with analyzing and validating the financial and legal terms for a 25-year, \$8 billion project to import liquefied natural gas from Qatar to India.
- Improved growth prospects for the industry by analyzing international shipping trends, completing a global study of competitiveness and formulating new fiscal policies including tax rationalization.
- Coordinated two national conferences with ILO, Geneva and successfully persuaded representatives from multiple Government departments, ship owners and crew trade unions to reach a consensus to ratify two ILO Conventions.
- Drafted legislation to protect seafarers' rights and was responsible for human resources development, budgeting, crew labor relations, framing of legislative proposals and enforcing regulatory compliance.
- Interacted with the IMO and enforced regulatory compliance in matters relating to chartering, dredging, cabotage, safety, crew recruitment, training, certification, Flag state and Port state inspections.
- Enhanced transparency and efficiency in procedures involving conduct of various Certification exams and issue of documents such as Continuous Discharge Certificates by bringing the process online, enabling online applications, prescribing work flow and time in the process and displaying the current status online.
- Successfully argued cases before two Tribunals involving interpretation and application of law to crew matters and brought an end to a strike by crew on a passenger ship through a carefully conducted eight hour long negotiation receiving appreciation from the Lt. Governor for resolving the crisis situation.
- Presented a Paper on Recruitment of Seafarers and Issue of Seafarers' Identity Documents before the International Transport Workers' Federation and a Paper on the need for ratification of Seafarers' Identity Documents Convention at the national seminar organized by DG Shipping and the ILO.
- Conducted Departmental Promotion Committees to review performance reports and provide career growth opportunities for employees. Reviewed the Recruitment Rules to remove various anomalies.
- Partnered with Government departments, ILO, IMO, foreign organizations, shipping companies and crew unions for shipping development and to ensure protection of human rights of ship crew.
- Moved several amendments to the Merchant Shipping Act and allied Rules for bringing legislation up to date with modern requirements of the shipping industry.
- Managed investments of \$25 million in the bond market for financing various benefit schemes for the Seafarers' Welfare Fund Society.

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Joint/Deputy/Assistant Commissioner of Customs, Government of India, (Indirect Taxation, Import-Export Control, Licensing, Investigations, Regulatory Compliance), 1987 – 1999

- Managed the work of teams of officers, collected over \$150 million excise and customs duties, adjudicated over 500 evasion / classification / valuation / related party / country of origin / misdeclaration / audit / rebate / drawback / licensing / anti-dumping/ refund / transfer pricing cases consistently exceeding targets.
- Implemented ITC/EAR licensing prohibitions and restrictions for exports and imports and FTA as well as Country of Origin and GATT Valuation rules and decided numerous disputed classification, valuation, licensing, refund, rebate, drawback, duty exemption, conditional use and other cases.
- Detected, investigated and prosecuted over 500 financial fraud cases of customs and excise duty evasion and drug enforcement to effectively counter tax evasion, smuggling and drug trafficking. Selected for advanced training in fraud investigation and drug enforcement with the British Customs.
- Partnered with attorneys to successfully argue hundreds of cases before Tribunals and Courts.
- Implemented a system of data collection and profiling to identify suspect consignments for detailed examination in Customs to check tax evasion as per training received from the British Customs.
- Developed a project plan for aerial reconnaissance in collaboration with the Coast Guard and successfully marketed it to various regulatory authorities to obtain approvals and budget sanction.
- Successfully implemented a tax amnesty scheme, which collected \$25 million in six months and cut litigation by creating a database with a rule based algorithm to identify litigants with significant dues who were likely to benefit most from the scheme that resulted in a high response rate.
- Conducted indirect tax audits and inspections of over 60 companies checking for substantial tax evasion and applied a model based on profiling rules to identify sample of suspect companies for financial audits.
- Selected by the Board as a team member in a nation wide study on implementation of a new tax on services which resulted in the introduction of service tax. Identified various services that could be taxed, recommended ad valorem rates and measures for streamlined collection of service tax.
- Selected and deputed for advanced training in customs drug enforcement with the British Customs.
- Received appreciation letter from Dy. Director of Japanese Customs for exemplary investigative work on a drug smuggling case where the narcotics were destined for Niigata, Japan.
- Partnered and managed relationships with the Navy, Coast Guard, Police and intelligence agencies for homeland security and anti-smuggling.
- Seized Middle Eastern owned ship smuggling drugs from Karachi, Pakistan to Amsterdam via Mumbai, arrested the smugglers and filed prosecution complaint before the Narcotics Court.
- Processed applications for notification of Customs Warehouse stations, issued bonded warehouse licenses, regulated operations of public and private bonded warehouses and Free Trade Zones.

EDUCATION

Master of Business Administration, 2003

Duke University Fuqua School of Business, Durham, NC

Post Graduate Diploma in Management (Agribusiness), 1985

Indian Institute of Management, Ahmedabad, India

Bachelor of Science (Agriculture), 1982

Kerala Agricultural University, India

PROFESSIONAL DEVELOPMENT

Certified Project Management Professional (PMP)[®]

(PMP #1451750, Current CCR cycle: 25 Aug 2011 - 24 Aug 2014)

Certified U.S. Export Compliance Officer[®] (CUSECO)[®]

Completed **EAR, ITAR, Documentation for Export Compliance and Ethics in Trade Compliance** courses at **Dunlap Stone University** with **GPA of 3.81** securing position in **Honor Roll** of outstanding students.

ADDITIONAL INFORMATION

Duke Merit scholarships for MBA • Sax Baldrige Award for outstanding consulting project • GMAT 760/800 (99%)
Attended training in SAP BW, SEM, FICO • US Citizen. Pursuing Customs Broker License (LCB). Manager, Customs Law Group, LinkedIn. Gold Level National Career Readiness Testing Certificate from ACT (Aug 2012). Guest Faculty at Duke University. Rated as best Faculty for ITAR and EAR Compliance Courses at Dunlap Stone University. Member, International Compliance Professionals Association.