



**ICPA**

ANNUAL CONFERENCE

**SAN ANTONIO**

MARCH 28-31:  
ONSITE & ONLINE

## **Session Descriptions**

### **Ask the Legal Eagles**

*Join a band of ICPA trade lawyers for an interactive Q&A session! Come prepared with YOUR question and get answers from the industry best.*

### **EXPORT**

#### **Best Practices for ECCN Classification / James Van Riper**

*Export Control Classification Numbers (ECCN) are designations used to identify items for export control. Knowing how and when to utilize ECCN classification can be tricky for many managing this type of export compliance. In this session you will hear from industry expert, Jim Van Riper on best practices for ECCN Classification to help you determine how your company can implement a successful compliance strategy.*

#### **Best Practices in Export Compliance / Omari Wooden**

*Learn your role, responsibility, and best practices in an export transaction to remain compliant with export regulations.*

#### **Common Export Violations and How to Avoid Them / Shannon Fura**

*In a world where the only thing common is nothing at all, join us as we discuss some of the more-likely scenarios under which an error in export reporting or compliance is likely to occur. Using real world anecdotes, we will discuss what steps can (could?) be taken to avoid these mishaps while also presenting resolutions to problems already found.*



## **EXPORT CONTINUED**

### ***Deemed Exports, Discrimination Concerns, and Technology Control Plans / Derrick Kyle***

*The intersection of anti-discrimination and U.S. export control laws can be confusing for employers, and recent settlement agreements between the U.S. Department of Justice (DOJ) and private companies have shown that DOJ will not tolerate employers discriminating against foreign persons – even where export controls might appear a concern. At the same time, the export agencies have specific requirements that mandate certain export-controlled information be restricted from foreign person employees. Navigating the various competing laws and regulations requires an understanding of the underlying requirements and difficulties, and the preparation of adequate export compliance, hiring, and HR procedures. Join Derrick Kyle of Torres Law as he discusses this complicated issue, covering challenges, best practices (including Technology Control Plans), recent cases, and common scenarios. This presentation will also provide attendees with a written Guide on Complying with U.S. Export Control and Immigration Laws.*

### ***Effective Customer Screening / Speaker Dan Strick***

*What's the easiest way to make the news and shut down all international business for your company? Come to this discussion on customer screening to find out. While screening is often considered an export topic, import professionals must consider this as part of their duty as well. All are invited to discuss screening techniques, cross-functional engagement and integration, best practices, and much more.*

### ***Empowered Official - Obligations and Liabilities / Tom Cook***

*This session will review the definition, responsibilities, challenges, and best practices for those that are contemplating becoming their companies empowered official. A case study will be included in the presentation. The speaker will also discuss the risks and opportunities that exist with this empowered official status.*

### ***Export Audits and Self-Assessments / Julia Mason***

*Curious about difference between a self-assessment and an audit? An open discussion on which one best fits your needs and when to use them.*

### ***Export Controls Update / Larry Hanson***

*Description has not been provided by speaker as of yet*



## **EXPORT CONTINUED**

### **Exports Outside Your Lane / Michelle Schulz**

*Today, Export Compliance Management Programs (EMCPs) truly have no choice but to expect the unexpected. Export laws, policies, and processes continue to face novel issues. In this environment, EMCPs must be more nimble than ever. This presentation addresses how to make your EMCP adaptable so that you can operate successfully outside your routine. For example, companies have processes in place for their standard products, and then something new pops up such as computers, software, or PPE. Or - suddenly - you find yourself exporting to countries subject to special controls such as Russia, China, or Venezuela. We will discuss practical tips and insight into preparing for the unexpected scenarios.*

### **Global Sanctions Update / Larry Hanson**

*Managing sanction compliance at the global level and across many sanctions regimes is a never ending struggle to stay ahead of changes in the law, changes in interpretation and changes in focus. Failing to change your compliance to keep up with the changing sanctions environment runs the risk of penalties, delivery interruptions or worse. This program will review the recent changes in the global sanctions arena and how your compliance program can keep up.*

### **License Exceptions and Exemptions Under the ITAR and EAR / Bruce Leeds**

*An export exemption or exception are two names for the same concept – that a license is not required to export and article or technical data. The concept is very appealing but the reality is that there are many conditions to be met and fine print to be read. In this session we will cover some of the major license exemptions under the International Traffic in Arms Regulations and the Export Administration Regulations. This includes what exemptions or exceptions are available, how to qualify for them and how to declare them at the time of export.*



## **EXPORT CONTINUED**

### **Practical Guide to Export License Applications / Beth Pride**

*Filing for an export license requires a lot of planning and understanding of the export regulations. We will teach you how to file BIS export licenses like a pro. In this session you will learn how to:*

- *Determine if you need to apply for an export license*
- *Identify potential license exceptions and whether you want to apply for them*
- *Create and edit a "new work item"*
- *Pinpoint key factors to help the licensing officer*
- *Determine what documents are required*
- *Track your license*

### **Routed Export Transactions - Bonnie Kersch**

*This session will help to explain Routed Export Transactions in their entirety. We will learn about FPPIs, USPPI, EEI filings in the AES system, and many other acronyms. We'll dispel some myths and discuss whether there really is a connection between Routed Export Transactions and Incoterms. If new rules have been released by the time of this session, we will discuss those too!*

### **Understanding Encryption / Michelle Schulz**

*Description has not been provided by speaker as of yet*



## **GENERAL**

### **ABC's of Drawback / Eric Rock**

*Description has not been provided by the speaker as of yet*

### **Benefits/Challenges of Working Remotely / Aida Dismondy**

*In this interactive discussion employees and employers will have a chance to share their experience of remote work, and receive practical tools to efficiently navigate the remote reality.*

### **Brexit**

*Speaker TBD*

### **CBSA Assessment & Revenue Management Program**

*Speaker TBD*

### **CTPAT 2.0 - Updating Your Security Program to Meet CBPs New Standards / Rennie Alston**

*This session will be an informative review of the new developments regarding the CTPAT program's implemented minimum security criteria management. Our presentation will focus on the transitioning of new written SOP's and evidence of updated processes to serve as a demonstration of security performance to satisfy CBP validation, annual assessment and portal update affirmation. We will review the preferred practices on portal management, internal and external security reviews, cyber security affirmations, social compliance demonstration, agricultural security affirmation processes and implemented strategies that best meets your company's scope of demonstration. This is a must attend session to ensure your company is managing the new CTPAT responsibilities on a path of continued success and adherence to the new minimum standards.*



## **GENERAL CONTINUED**

### ***Dealing with Stress / Kendra Hunt***

*Let's talk about stress and how to deal with it. Stress is something no one can evade. It can be a result of poor choices or completely out of our control. This session will cover some practical ways to manage stress. We will map out ways to improve both your habits and self-care because in the end all you can really manage is yourself.*

### ***Incoterms / Bonnie Kersch***

*Incoterms are an important part of your international trade transaction. Incoterms determine when risk transfers, who files the export and the import, who pays for the actual shipping of the goods, and much much more! Come learn all about Incoterms 2020 and how your company can benefit from using the correct Incoterms!*

### ***Latest Trends in Trade Law Enforcement ad How to Protect Yourself / Larry Hanson***

*Enforcement on issues relating to trade law is on the increase. New enforcement pertaining to trade law developments during the Trump administration have combined with long established enforcement initiatives to create an even more dangerous minefield of trade compliance risks. This program will examine new risks of non-compliance as well as old risks now facing renewed attention by law enforcement and how compliance programs should best address these developments.*

### ***Lessons Learned from Pandemic - How to Pivot Quickly in Crisis / Mark Baxa***

*Business as usual these days is something COVID-19, and the pandemic has turned on its head! OMG! Nothing is working right. Wait a minute...is this a joke? Soon it will be all over, and we will all be back to normal, right? NOPE! What happened to my budget? You're cutting the size of my compliance operation in half? You want to source & ship what from where and when!?! Who is going to work from where? IT can't help me?! No matter what your business environment is like today, tomorrow will not be the same in so many ways. Facing the dynamics in your operation brought about by the seismic crush of geopolitical shift and human health has every leader, manager, analyst alike facing the daunting task of "Pivoting in a Time of Crisis". Not only that, but the future state of the Global Supply Chain and Global Trade Compliance lies in the balance. In this discussion, we will explore the impacts of the pandemic on you the compliance professional, those who lead these teams, and solutions leaders did and are doing in response to the business environment we are now all in. You will benefit from this discussion. I look forward to seeing you."*



## **GENERAL CONTINUED**

### **NAFTA/USMCA Updates / Chandri Navarro**

*United States–Mexico–Canada Agreement (USMCA), entered into effect as a successor to the 25-year old North American Free Trade Agreement (NAFTA) on July 1, 2020, in the midst of the Covid-19 pandemic. The USMCA has been characterized as NAFTA 2.0, since many provisions from NAFTA were incorporated and its changes were seen as largely incremental. However, the USMCA does include significant changes in key areas—automotive, dairy, pharma, IPR and labor rules. We will review the key changes and what importers can expect from the USMCA going forward.*

### **Road Warrior; Tips & Tricks for the Business Traveler / Clay Perry**

*As most of our titles reflect, a key aspect of our responsibilities as trade compliance professionals involves travel. Travel may consist of several domestic trips to the various ports where your cargo arrives, or it may involve long overseas trips to new countries and cultures. This presentation will provide variety of information related to both domestic and international travel to help ease your minds in areas such as safety, comfort, cost savings, and more.*

### **TFTEA Drawback Two Years Later, a Net Positive? / Tony Noguerras**

*Two years after the extensive TFTEA Drawback changes, where do we stand today? The list of recent disruptions and developments to what was once a mostly a static duty drawback regime is unprecedented: the implementation of new drawback regulations; the complete automation of drawback claim submission via the new ACE drawback module; major drawback litigation in the Court of International Trade; the imposition of Section 301 China Tariffs; COVID's economic disruption. While the dust has settled on elements of the new drawback regime, extensive collaboration between the drawback trade community and Customs and Border Protection is still required before the process of modernizing this unique tariff mitigation strategy can be considered a success.*

*The presentation will provide an overview of TFTEA drawback (Trade Facilitation and Enforcement Act's major amendment to the drawback law in 2016), a review of the drawback process steps required to initiate a drawback program, and end with a discussion of the issues and barriers currently impacting the drawback filer.*



## **GENERAL CONTINUED**

### **Topical Canadian Trade and Customs Compliance Issues / Speaker TBD**

*An update on the most topical Canadian customs and trade issues of the day. Canadian law and policies covering the breadth of issues involved in importing into and exporting from Canada. If your company has a Canadian connection, you will not want to miss this!*

### **Using Analytics to Make Decisions for Better Trade Compliance / Mike Thompson**

*“Big data” has created infinite sources of data for the use in governance, performance and compliance effectiveness. Making sure you have ACE data is just the start of driving your trade compliance to be based on the facts and the reality of your supply chain processes. Data from ERP’s, customs brokers, (the MS’s – WMS, TMS, GTM), freight forwarders, and supply chain partners are just the start of data sources available. This session will focus on:*

- *Different types of trade data and their source*
- *Ways to obtain and manage trade data to effectively support your trade compliance process*
- *Best practices used to manage trade compliance related data using the sources generally available.*

*This session is for an overview of the types of the data, the sources of the data, and then effective ways to use the data that have shown results with other organizations including scorecards and benchmarking, as well as, effective ways data sources can help create opportunities once the data is managed successfully.*



## **IMPORT**

### **2020 Regulatory Review / Amy Magnus**

*What rulings, cases, proclamations or other regulatory happenings in 2020 will continue to shape 2021? This session will review significant regulatory events and project areas of focus for the coming years. Knowing where to look for risk is the a strong step to staying compliant, and this session will highlight key events that occurred in 2020 that importers should be aware of to ensure their compliance programs are covering areas likely to be of concern to CBP.*

### **Additions to Value: Assists, Supplemental Payments, Royalties and License fees / George Tuttle**

*This Session will focus on statutory additions to Transaction Value, key CBP rulings and examples related to assists, supplemental payments, royalties and license fees, and how to find and report them to CBP.*

### **Avoiding and Mitigating CBP & PGA Admissibility Detentions and Seizures**

*Speaker TBD*

### **Broker Entry or Self File? A Debate /Blane Carroll**

*Description has not been provided by the speaker as of yet*

### **Conducting Successful Investigations and Prior Disclosures / Adrienne Braummiller**

- *What do you do when you discover a violation?*
- *Who should be notified?*
- *What options are there to identify the breadth and severity of the deficiencies?*
- *What factors should be weighed whether to disclose?*
- *What tips are there for ensuring a favorable outcome?*

### **Customs Broker RFP Process: The Critical Do's and Don'ts / Tom Gould**

*If you're selecting a new customs broker this year, following a formal Request for Proposal (RFP) process is considered industry best practice, especially in these volatile times. In this session, 25+ industry veteran and leader Tom Gould, VP of Global Customs at Flexport, will walk attendees through the do's and don'ts of selecting a new customs broker, questions to ask, how to compare different candidates, and critical decisions such as how to effectively integrate your broker for improved filing accuracy and lower costs.*



## **IMPORT CONTINUED**

### **Forced Labor Enforcement by CBP: What We Know and What's Coming / Judy Haggin**

*The importation of merchandise mined, produced or manufactured by convict, forced or indentured labor, including forced child labor has long been prohibited and subject to exclusion and/or seizure and may lead to criminal investigation of the importer. The TFTEA repealed the "consumptive demand" loophole and enhanced Customs' ability to prevent the importation of these products. This session will discuss all aspects of this law and what importers need to know to exercise due diligence and responsible business practices to protect their firms.*

### **Foreign-Trade Zones - What are the Benefits & How to Realize Them / Dean Johnson**

*The U.S. Foreign-Trade Zones program offers substantial advantages to U.S.-based manufacturers and distributors. This session will review the potential benefits and savings of the FTZ program including relief from inverted tariffs, duty exemption on re-exports, duty elimination on waste, scrap and yield loss, savings on damaged or nonconforming items, weekly entry savings, cash flow (duty deferral) savings, zone-to-zone transfers, government and military sales, and ad valorem tax relief. The session will also briefly cover the fundamentals of the set-up process and how to get a zone project started for your company.*

### **How to Gain Buy-In and Develop a Strategic Import Compliance Program / Tammy Hetrick**

*How do we squeeze blood from a stone, i.e., get budget \$\$ for a compliance program? We will discuss scare tactics such as highlighting real-world consequences of compliance failures, as well as how compliance provides your company with a competitive advantage. Once you have buy-in, then what? We will discuss the components of CBP-approved compliance programs. You will leave with a draft plan of action for developing and implementing your company's SICP!*



## **IMPORT CONTINUED**

### **Mastering Trade Compliance in Global e-Commerce / Jeff McCauley**

*The growth in ecommerce is not simply a result of the global pandemic. The shifting of the retail marketplace has only accelerated as younger generations buy less at traditional “brick and mortar” locations and the ease, security, and variety available to online consumers continues to expand. As ecommerce continues to evolve, the marketplace is changing and the needs and requirements of the supply chain will need to evolve. The need is not only to allow traditional retailers to re-set, but for numerous smaller “sellers” to compete with online platforms and the ability to reduce costs and drive product to their clients. Ecommerce is more than buzzword and not the same as “express”. Rather than focus on the known challenges, this session will focus on:*

- *Ways to adapt the current supply chain models to take advantage of the ecommerce changes and maintain high levels of trade compliance*
- *Review the challenges and requirements of a successful ecommerce trade compliance program, including the US CBP guidelines and utilizing the CBP pilot program*
- *Discuss strategies that can be used to adapt your best trade practices to the shifting needs of an ecommerce world*

*This session is focused on the compliance requirements, processes, systems and definitions needed for successful ecommerce. Although inclusive of ecommerce, this session is focused on the reality of the process and means to operate within a new environment rather than simply establish these is a need for ecommerce.*

### **Responding to CBP Forms 28 and 29 / Peter Quinter**

*CBP has aggressively used its Request for Information (CBP Form 28) issued to importers to conduct inquiries of proper declarations to CBP. It was common for Import Specialists to issue the CBP Form 28 for tariff classifications, customs valuations, or to verify claims of preferential tariff treatment under one of the many free trade agreements, GSP, or other trade program. In recent years, Import Specialists from any of the Centers for Excellence and Expertise (CEE) are eager to identify an importer which is suspected of avoiding antidumping or countervailing duties (AD/CVD) or falsifying the country of origin. If the Import Specialist is not satisfied with the written response from the importer (or its customs lawyer or customs broker), a Notice of Action (CBP Form 29) will be issued to the importer. The CBP Form 29 may result in the refusal of an entry of merchandise into the United States, an assessment of AD/CVD, a denial of preferential tariff treatment for a free trade agreement such as the USMCA, DR-CAFTA, etc., a referral to CBP's Regulatory Audit and Agency Advisory Services, a monetary penalty action from CBP's Office of Fines, Penalties and Forfeitures, or a potential criminal referral to Homeland Security Investigations. A response to a Notice of Action is filing a Protest with CBP. Learn how to respond properly to a CBP Request for Information to save you or your client and lot of time and money.*



## **IMPORT CONTINUED**

### **Using ACE Reporting Tools to Maximize Compliance & Duty Savings Opportunities / Mark Tallo**

*ACE reports contain invaluable data on company imports, exports, and other customs activity. U.S. Customs and Border Protection over the past few years has made significant changes by adding new reports, new reporting universes, and valuable data to the reporting module. This seminar will focus on the recent changes and how to leverage ACE report data to manage trade compliance, identify opportunities for duty savings, and discover potential problems before you receive a CBP inquiry.*

### **Valuation Strategies for Duty Minimization / Andy Siciliano**

*Companies now more than ever are seeking ways to recover, minimize and defer the payment of tariffs. This session will discuss several customs valuation strategies companies are utilizing to manage increasing tariff costs. The strategies will include, but not be limited to, a discussion on what is dutiable vs. non-dutiable, the recovery of retroactive tariffs and the proper appraisement methods required in certain situations.*