

## International Trade



Picard Kentz & Rowe's lawyers have extensive experience representing diverse U.S. industries in international trade matters. We are committed to working with clients before various federal agencies and the Congress to ensure that the United States' fair trade laws are fully enforced, and are strengthened where appropriate. Our lawyers have pursued international trade matters through litigation before agencies and the courts, as well as through public policy channels within Congress and the various agencies.

Our lawyers have experience in the area of customs compliance and litigation. We provide legal counsel to navigate the myriad regulations involved in importing products into the United States. We also work closely with the federal agencies having jurisdiction over importation, including Customs and Border Protection, Immigration and Customs Enforcement, and the Food and Drug Administration.

### International Trade – Litigation

A fully-functioning, well-subscribed regime of trade remedy laws is essential to the further development and growth of international trade. The existence of distorted markets throughout the world will continue to result in severe dislocations for domestic industries exposed to import competition. Our practice emphasizes the enforcement and augmentation of the trade laws to ensure that U.S. industries are able to compete in the international marketplace on a level playing field.

Our lawyers have extensive experience in the area of international trade litigation. On behalf of a diverse array of domestic industries, our attorneys have successfully obtained trade remedies in the context of antidumping duty, countervailing duty, and safeguard proceedings. In administrative proceedings before the U.S. International Trade Commission and the U.S. Department of Commerce, we have effectively represented domestic industry interests in securing, and subsequently maintaining, trade relief. Following the imposition of a trade remedy, our attorneys also have considerable experience in working with U.S. Customs and Border Protection and Immigration and Customs Enforcement to ensure that trade relief is enforced. Further, we have successfully represented domestic parties in appellate proceedings before the U.S. Court of International Trade, the U.S. Court of Appeals for the Federal Circuit, and NAFTA binational panels.

## **International Trade – Legislative and Regulatory Policy**

Our lawyers have extensive experience representing clients on international trade issues in the legislative and regulatory policy arenas. Over the past several years, we have represented clients before the U.S. Congress and Executive Branch with regard to Congressional approval of the major multinational and binational trade agreements, including China's accession to the World Trade Organization, the Uruguay Round Agreements Act, and the North American Free Trade Agreement. We have worked to ensure that the legislation implementing these agreements addresses specific client concerns with regard to the effect of these agreements. Our lawyers also have worked closely with Congress and the Executive branch on enactment of new trade statutory provisions designed to make the laws more responsive to the concerns of domestic manufacturing and agribusiness interests.

We have worked with officials at the Department of Commerce and the Office of the United States Trade Representative to seek enforcement of existing trade laws, and have developed the legal and policy analysis in support of necessary regulatory and procedural changes to make the trade laws more effective. We also have enlisted and assisted members of Congress with particular constituent interests to advocate before the Executive Branch on trade matters, such as the imposition of safeguard measures.

Our lawyers have prepared written and oral testimony for clients for presentation to Congressional committees and Administrative agencies, and have helped prepare members of Congress to testify before the U.S. International Trade Commission. In concert with our trade litigation practice, we also have worked with the Department of Commerce and U.S. Customs and Border Protection in seeking to prevent circumvention of various trade orders, and to ensure proper distribution of funds to the domestic industry under the Continued Dumping and Subsidy Offset Act.

## **Customs**

Our lawyers have extensive knowledge and experience in the area of customs compliance and litigation. We provide legal counsel to navigate the myriad regulations involved in importing products into the United States. Among other clients, we have successfully represented an apparel manufacturer under audit as to the origin of its merchandise imported from Central America. We work closely with the federal agencies having jurisdiction over importation, including Customs and Border Protection, Immigration and Customs Enforcement, and the Food and Drug Administration.

Among our expert International Trade team is a former Associate General Counsel in the Office of the U.S. Trade Representative, who advised policy officials on the drafting and implementation of the agricultural and textile provisions of several free trade agreements, such as CAFTA-DR and the Peru Trade Promotion Agreement.

## **Export-Import Bank Policy**

The U.S. Ex-Im Bank was established to support jobs in the United States by facilitating the export of U.S. goods and services. It accomplishes this goal by providing competitive export financing in an effort to ensure a level playing field for U.S. exports in the global marketplace. However, the Bank's financing support for one U.S. industry's sales abroad can have negative impacts on other U.S. industries that compete against the foreign parties that would receive the Bank's assistance. Congress requires the Ex-Im Bank to analyze and consider these negative impacts, and our lawyers have experience assisting U.S. industries to help them ensure that the Bank adequately assesses these impacts before approving financing transactions for foreign projects. The Firm's lawyers also have experience developing legislative proposals to enhance the transparency and accountability of the Bank's operations.