



## SAVE THE DATE!

Wednesday,  
Dec. 10, 2008

AFTER THE  
ELECTION -  
TRADE IN 2009

With

Nicole Bivens  
Collinson,  
President of Trade  
Negotiations and  
Legislative Affairs  
and  
Jennifer Mulveny,  
Senior Director,  
Trade and  
Legislative Affairs,  
both of  
Sandler, Travis &  
Rosenberg (D.C.)

Also, keep an eye  
out for more info.  
about OWIT's an-  
nual holiday party,  
better known as

**WITMAS**

## CLERK OF COURT OF INTERNATIONAL TRADE DELIVERS KEYNOTE AT OWIT-NY ANNUAL RECEPTION

On June 17, 2008 Tina Potuto Kimble shared her experience as the newest Clerk of the U.S. Court of International Trade (CIT).

In addition to explaining the numerous activities the Clerk is responsible for—namely oversight of the operations of the CIT—the audience was also informed of ongoing discussions regarding a possible expansion of the CIT's jurisdiction, in addition to new types of cases that are being brought to the CIT.



On November 19, 2008, the CIT will hold its biennial conference at the South Street Seaport, in New York City. Topics including, the proposed changes to the CIT, international trade agreements, and the differences between the WTO and the domestic review of trade cases in the U.S., are just some of the areas that will be discussed at this year's event. For more information on this year's conference, check out page 4.

***Don't forget to  
register by October 31st!***

## Message from the OWIT-NY President



Laura Siegel  
Rabinowitz  
OWIT-NY  
President

After starting off the year with the very interesting session with Joe Rees from the Office of International Trade, OWIT - NY recently held our annual membership drive with cocktails in the lovely Bryant Park Grill. We had a great group of old and new members and enjoyed the last warm day of the year!

For our next event we will move indoors to our traditional space at Baker & McKenzie. Thank you again to Suzanne Offerman and Baker for hosting us.

We look forward to seeing everyone on December 4th for a post election roundtable. The candidates have been talking about trade, so let's see what develops after November 4th.

We are so very proud of our newsletter and must thank Deanna Clark for all her hard work.

Reminder - It is not too late to join OWIT for the 2008-2009 season.

Looking forward to seeing everyone on December 4th!

*Laura Siegel Rabinowitz*

## BENEFITS AVAILABLE TO WOMEN AND MINORITY OWNED BUSINESSES - WHO WANTS TO GO GLOBAL?

-By Morgan L. Frohman

While gaining an industry foothold somewhere along the international chain of supply and demand is difficult, women and minority owned businesses have it a little easier when it comes to winning government contracts (unless you're competing against Halliburton, that is).

Each agency within the federal government has a spending goal allocated for awarding federal contracts to small businesses. Special benefits are also offered to women and minority owned businesses to assist them when competing in the federal arena. For example, the U.S. Department of Agriculture has a special outreach for "small and disadvantaged" businesses, which include women and minority owned small businesses. See <http://www.usda.gov/osdbu>. The USDA

promotes competition of businesses located in disadvantaged areas as well, promoting competition of these three types of businesses in gaining federal contracts with the USDA.

The Minority Business Development Agency (MBDA) at the U.S. Department of Commerce is a helpful portal to numerous networking and assistance initiatives geared for minority owned businesses and international trade opportunities. See <http://www.mbda.gov>. Through the Advocacy Center, Commerce also offers counseling and advocacy for U.S. exporters regardless of ownership. The Advocacy Center aims to "level the playing field" for U.S. businesses competing globally, providing assistance to small and medium enterprises through educational outreach initiatives and local

offices throughout the United States. See <http://www.export.gov>.

The existing size standards set forth in the Code of Federal Regulations provides the basis for the SBA's determination. See <http://www.sba.gov/aboutsba/sbaprograms/gc/programs/index.html>.

Further, the SBA's efforts to identify ways to better help small businesses owned by women and minorities are ongoing. Earlier this month for instance, the SBA published a Final Rule amending current SBA regulations, which set forth procedures governing the new Women-Owned Small Business Federal Contract Assistance procedures. 73 Fed. Reg. 56,940 (Oct. 1, 2008).

*(Cont'd on next page)*

Special loans are also available from the federal government to help women- and minority-owned businesses get off the ground. Most pertinent to readers of this newsletter is the SBA's International Trade Loan Program. Pursuant to this initiative, short or long term financing is available to both small businesses already engaged in international trade and to those just starting out. The SBA can provide up to \$1.25 million for a combination of fixed asset financing and Export Working Capital Program assistance. See [http://www.sba.gov/aboutsba/sbaprograms/gc/programs/gc\\_cawbo\\_best\\_practices.html](http://www.sba.gov/aboutsba/sbaprograms/gc/programs/gc_cawbo_best_practices.html).

The SBA maintains an online portal, FedBizOpps, so that businesses can publicize their business opportunities by posting information directly to FedBizOpps. This way, vendors seeking business on the federal scale for their products and services can publicize and/or retrieve opportunities in one place, for the entire federal contracting community. See <http://www.sba.gov/aboutsba/sbaprograms/gc/resources/index.html>

The SBA has also established a "Women's Procurement Program" in the Office of Government Contracting, an office with a mission to increase the amount of women-owned businesses in the United States and the corresponding federal government opportunities for them. Under this program, assistance is offered to women-owned businesses for marketing services. The marketing services program is aimed at opening up more opportunities for women owned businesses within the federal govern-

ment, to reach or even surpass the SBA's goal of 5% of all federal contracting awards. To assist in this endeavor, the website <http://www.womenbiz.gov> offers over 100 links to federal procurement and subcontracting information, opportunities, and websites for bidders' lists. Some federal contractors do require women-owned businesses to self-certify that they are a women-owned business in order to qualify for these special opportunities; however not all contractors or agencies maintain such a requirement. Business development and technical assistance is also offered by the SBA from Business Development Centers and Women's Business Centers located around the country.

The SBA's Office of Federal Contract Assistance for Women Business Owners has compiled a list of "Best Practices" in order to help meet and exceed the minimum goals set out for women owned businesses by the SBA, which is essentially "Federal Contracting 101," specially geared for these businesses. These Best Practices encompass suggestions regarding many aspects of business development and maintenance, including employee training, mentor-protégé programs to better enable these small businesses to compete, online training and other opportunities, individual business counsel-

ing, courses on federal contracting, conference training, client outreach, marketing and special loan assistance.

***"The SBA can provide up to \$1.25 million for a combination of fixed asset financing and Export Working Capital Program assistance."***

States and localities also provide benefits that may be available to women- and minority-owned businesses engaged in government contracting, importing/exporting, or some aspect of the chain of international trade. The county of Westchester, New York, offers increased business opportunities and workshop training, among other benefits, to such businesses. See <http://www.westchestergov.com/MWOB>. The New York State Assembly passed a legislative package comprised of sixteen separate bills in March of this year to benefit small businesses. Some of the benefits include a provision for the creation of a small business outreach center for training, increasing the availability of low interest business loans, and the expansion of notification of business opportunities to minority and women-owned business. See <http://assembly.state.ny.us/Press/20080326>.

The information mentioned above is by no means exhaustive or inclusive of all the benefits available to women- and minority-owned businesses. However, it highlights some of the types of assistance available to promote the success of these businesses. Should your business potentially qualify for these opportunities, it may be a worthwhile business endeavor to pursue further research of these benefits.

*Morgan Frohman is an Associate in the Import and Export and Litigation practice groups of Sandler, Travis & Rosenberg, P.A. (NYC). Her practice focuses on customs and international trade law and commercial litigation. She may be contacted at [mfrohman@strtrade.com](mailto:mfrohman@strtrade.com) for more information or assistance with obtaining these opportunities.*

## The 15<sup>th</sup> Judicial Conference of the United States Court of International Trade

By Tina Potuto Kimble, Clerk, U.S. Court of International Trade

It is once again time for the United States Court of International Trade's Biennial Judicial Conference. This year's Judicial Conference is being held on Wednesday, November 19, 2008 at Bridgewater, 11 Fulton Street, Fulton Market Building, South Street Seaport, New York, New York 10038 from 8:30 AM – 5:30 PM. There will be a pre-lunch cocktail reception sponsored by the Customs and International Trade Bar Association as well as a brief reception at the close of the event. The registration deadline for the conference is October 31, 2008 and the fee is \$200.

The Conference generally is attended by 300-400 practitioners and other persons with interest in the business of the Court of International Trade (CIT). In addition to the judges of the Court, the audience frequently includes members of the press, high ranking government officials, and prominent practitioners in the area within the Court's jurisdiction. The conference serves as an opportunity for the bench and the bar to commune and exchange ideas. It is also an opportunity for the Bar to earn Continuing Legal Education (CLE) credit, because it is approved for a maximum of 5.5 credit hours by the New York State CLE Board.

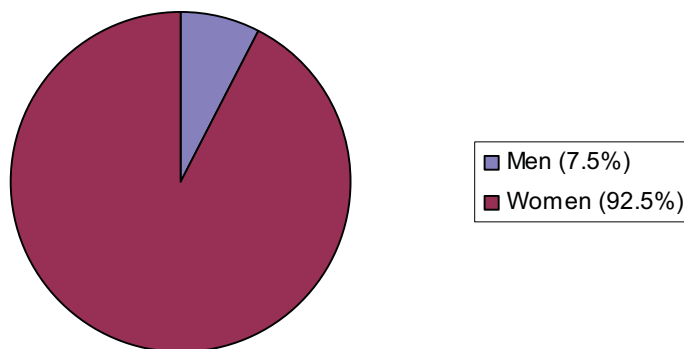
This year's theme is "Looking Back to the Road Ahead: Testing the Boundaries of Customs and Trade Litigation" and the conference is divided into many segments for discussion. The first panel is intending to explore ways that litigation at the CIT is changing. People are bringing new types of cases with causes of action not traditionally seen at the Court. Moreover, there is a proposal by members of the bar to expand the CIT's jurisdiction to include areas such as export controls and importation of counterfeit goods. In the morning break-out panels, the panelists will discuss the ways that the agencies do business – how they make their rules and how they change their rules in the face of prior CIT precedent.

For the afternoon break-out sessions, the presentations will focus on best practices in litigation and the interplay between the CIT and various other forums available for litigation of Customs and trade disputes. Topics will include a comparison between WTO and U.S. domestic judicial review, a petitioner's look at WTO, NAFTA and the U.S. courts, and a look at international agreements. The panels will also address reports of international trade panels as well as tips and new developments to assist practitioners in creating a more effective and efficient practice before the CIT. Finally, the afternoon plenary panel is comprised of the Judges speaking to the Bar, which provides a unique opportunity for the bench and the bar to hold an open discussion regarding matters of interest.

This year's keynote speaker is Commissioner Raymond W. Kelly, Police Commissioner of the City of New York. Commissioner Kelly's comments should be of great interest to anyone concerned with Customs and international trade issues in light of his prior experience as the Commissioner of Customs and his unique view on international enforcement, which he has developed as Police Commissioner.

This year's conference program should be very informative and enjoyable and will help foster understanding between the bench, the bar and the agencies whose decisions come before the Court. The Court looks forward to hearing your thoughts on these topics on Wednesday, November 19, 2008.

**SPECIAL THANKS TO JOE REES, Director, Trade Agreements and Communications, Office of International Trade, U.S. Customs and Border Protection for his overview on Sept. 23, 2008 of the implementation of the Lacey Act within U.S. Customs and the collaboration being undertaken between agencies to enable compliance efforts on the part of the importing community. More information and updates on the Lacey Act and its implementation can be found at [www.cbp.gov](http://www.cbp.gov).**

**OWIT 2007—2008 MEMBERSHIP—FEMALE TO MALE RATIO****GET INVOLVED IN OWIT-NY!**

Interested in getting more involved in OWIT-NY? We are currently seeking men and women volunteers for publicity, programming, and other areas. Contact Laura Siegel Rabinowitz for more information!

**OWIT-NY BOARD MEMBERS 2008-2009**

Laura Siegel Rabinowitz  
President  
212-883-1300  
lsrabinow@strtrade.com

Suzanne Offerman  
Programming Committee  
212-828-4869  
suzanne.offerman@bakernet.com

Sharon Martin  
Treasurer  
212-773-0273  
Sharon.martin1@ey.com

Despina Keegan  
Programming Committee  
212-552-3886  
despina.x.keegan@jpmchase.com

Elizabeth Foster  
Secretary  
862-778-4099  
elizabeth.foster@novartis.com

Carrie Maier  
Treasurer  
212-773-2968  
carrie.maier@ey.com

Krishna Petersen  
Website Coordinator  
917-328-2780  
kpetersen@charterbrokerage.net

Donna Sharp  
Special Events Coordinator  
212-255-8446  
dsharp@sharpgp.com

Deanna Clark  
Newsletter Editor  
212-566-4949  
dclark@shaynelawgroup.com

Lucy Orozco  
Membership  
212-755-3636 Ext. 3413  
lorozco@capstonetrade.com



Many of OWIT-NY's Board members gather for a photo at the 2008 OWIT-NY Annual Reception



P.O. BOX 1354, GRAND CENTRAL STATION, NEW YORK, NY 10163

## JOIN OWIT NEW YORK!

### YOUR BENEFITS

- \* Members of **OWIT-NY** enjoy many benefits, including:
- \* Reduced rates to our regular programs on current issues of interest to the international trade community;
- \* Networking opportunities with professionals in international fields;
- \* Business related meetings and social events;
- \* Interaction with other professional associations;
- \* Business-card exchanges;
- \* Complimentary membership bio directory; and
- \* On-line access to the **OWIT Job Bank**.

The **Organization of Women in International Trade (OWIT)** is a global confederation of locally based women's organizations providing support, inspiration, information and networking opportunities to women and men who are active members of the international trade community. Members of the **New York Chapter** are part of a worldwide network of more than 3,000 professionals whose involvement in **OWIT** enhances their knowledge of current global trade issues.

### OUR MEMBERS

Our members represent a diverse range of occupations, including, but are not limited to, banking and finance, communications, customs and trade law, education, government and diplomacy, import and export trade, insurance, technology, trade-related non-profits, transportation, and other international services.

Membership Dues are currently \$75 for regular membership and \$25 for government/non-profit/student membership. The OWIT-NY membership year runs from September 1 to August 31. Please make your check payable to **OWIT-NY**. For more information, please visit our web site: [www.owit.org/chapterdetails.asp](http://www.owit.org/chapterdetails.asp).

### APPLICATION FOR MEMBERSHIP

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company/Affiliation: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Trade Topics of Interest: \_\_\_\_\_

Inquiries: [owitnymembership@yahoo.com](mailto:owitnymembership@yahoo.com) (917) 841-6988

### THANK YOU TO BAKER & MCKENZIE

OWIT-NY would like to thank Baker & McKenzie and Suzanne Offerman for kindly allowing us to use their conference rooms for meetings and events, as well as for the generous contributions of administrative assistance and meeting supplies. We couldn't do it without you.