



2023 Manufacturing Conference

A full-day discussion of the top legal, regulatory, and policy issues facing the U.S. manufacturing sector.

Firm Event

October 24, 2023

Agenda

9:30 9:40 Welcome/Introductions

Alan Luberda

9:40 - 10:20 Morning Keynote Q&A The Honorable Robert Portman

Kelley Drye's Dana Wood and Dustin Painter sit down with The Honorable Robert Portman for a discussion of the key issues facing the U.S. manufacturing sector.

Robert Portman, Former United States Senator (R-OH), United States Trade Representative, and Director of the Office of Management and Budget

Dana Wood, Director of Government Relations, Kelley Drye & Warren LLP

Dustin Painter, Partner, Kelley Drye & Warren LLP

10:20 - 11:00 The Shifting Landscape of U.S.- China Relations and Policy

Are bilateral tensions easing after a series of trade talks between the two nations, or are the U.S. and China still on a collision course over issues of market access, technology and IP, and Beijing's continued cultivation of state-led industries and reliance on unfair trade practices?

John Herrmann, Partner, Kelley Drye & Warren LLP

Jake Parker, Professional Staff Member, U.S. House Select Committee on China

Scott Paul, President, Alliance for American Manufacturing

Bill Reinsch, Senior Adviser and Scholl Chair in International Business, Center for Strategic and International Studies

11:00 - 11:10 BREAK

11:10 - 11:40 Trade Legislation in the 118th Congress

Will 2023 finally be the year for a trade package? This panel will discuss and evaluate the prospects of a growing list of contenders that range from reauthorizing the already-lapsed GSP and MTB programs, consideration of the expiring AGOA preference program, bills addressing strengthening and enforcing U.S. trade remedy laws, proposals targeting China and, finally, an effort to update and modernize U.S. Customs laws and operations.

Jennifer McCadney, Partner, Kelley Drye & Warren LLP

Ken Monahan, Vice President of International Economic Affairs, National Association of Manufacturers

Joshua Snead, Republican Chief Trade Counsel, Trade Subcommittee, House Ways and Means Committee

11:40-12:00 Trends in Trade Remedy Enforcement

AD and CVD cases have been an effective tool for U.S. producers for decades, but economic conditions have led to a decline in the number of AD/CVD petitions filed in recent years. Instead, foreign producers are finding creative ways to access the U.S. market by circumventing and evading the trade orders that are already in place, leaving domestic industries playing a frustrating game of "whack-a-mole." We'll briefly examine the latest trends in trade remedies enforcement, discuss how companies identify and thwart circumvention schemes, and consider the outlook for combatting unfair import competition.

Brooke Ringel, Partner, Kelley Drye & Warren LLP

12:00 - 1:00 LUNCH

1:00 - 1:20 Critical Minerals and Other Critical Materials - What Are They and Why Industry Should Care?

Critical minerals and other critical materials are buzz words of the day, but what are they and why should industry care? With a number of government bodies identifying and working towards an assured and resilient supply of critical materials, we'll review a selection of these efforts and discuss available opportunities for industry to engage on these issues.

Joshua Morey, Partner, Kelley Drye & Warren LLP

1:20 - 1:40 Customs Roundup - UFLPA, Enforce and Protect and other CBP Priorities

More than a year into enactment of the UFLPA, CBP has requested additional resources, diversified its enforcement targets and reported UFLPA detentions in the "automotive and aerospace" industry for the first time. We'll discuss these enforcement trends, the future of UFLPA enforcement and other noteworthy Customs developments.

John Foote, Partner, Kelley Drye & Warren LLP

1:40 - 2:00 Export and Sanctions - Debunking Common Myths in Trade Compliance

Common misconceptions related to compliance with sanctions, export controls, and CFIUS regulations can result in gaps in a company's compliance program and potentially costly violations of trade controls. We'll address those misconceptions and provide recommendations for ensuring your compliance program is up to the task.

2:00 - 2:25 Withstanding Labor Challenges in the Manufacturing Sector

A short discussion regarding labor, workforce and employment issues that are top of mind for manufacturers, including a tight labor market in the midst of a manufacturing investment super cycle, finding workers to fill high-skilled manufacturing jobs over the next decade, and the recent resurgence of labor unions in the U.S.

Mark Konkell, Partner, Kelley Drye & Warren LLP

2:25 - 2:35 BREAK

2:35 - 3:15 U.S. Industrial Policy and Infrastructure: Considerations for U.S. Manufacturers

A discussion of the Biden Administration's "modern American industrial strategy" which has produced spending bills including the Infrastructure Investment and Jobs Act (IIJA), CHIPS and Science Act, and Inflation Reduction Act (IRA), and what this strategy may mean for the manufacturing sector and U.S. economic and national security.

Paul Rosenthal, Chairman, Kelley Drye & Warren LLP

Sushan Demirjian, Assistant U.S. Trade Representative for Small Business, Market Access, and Industrial Competitiveness

Scott Boos, Senior Vice President, Government Affairs & Policy, Alliance for American Manufacturing

Chuck Sutton, Vice President Global Sales and Marketing, REC Silicon

3:15 - 3:45 Industrial Decarbonization: Opportunities and Challenges

A stakeholder discussion on U.S. government initiatives to help promote innovation and decarbonization in the industrial sector. We will discuss new funding opportunities, provide guidance for potential applicants, and highlight some barriers and challenges. We'll also discuss how the Administration is using these decarbonization incentives to advance stakeholder engagement and drive investment in underserved communities, including through its Community Benefits Plan requirements.

Ryan Fitzpatrick, Senior Director of Domestic Policy for Climate and Energy, Third Way

Theresa Christian, Market and Energy Analysis Director, U.S. Department of Energy Office of Clean Energy Demonstrations

3:45 - 4:15 Climate, Sustainability and Trade

The intersection of climate, trade, and industrial policy has been a recent focus of the Biden Administration and our trading partners around the globe. We'll examine the E.U.'s carbon border adjustment mechanism (CBAM), the Biden administration's proposed Global Arrangement on Sustainable Steel and Aluminum (GASSA), and other key emerging climate policies that will affect U.S. manufacturers.

Joseph Green, Partner, Kelley Drye & Warren LLP

Catrina Rorke, Senior Vice President, Climate Leadership Council

Drew Lingle, Legislative Aide, Senator Kevin Cramer (R-ND)

4:15 - 4:30 Industry Perspectives and Key Takeaways

A chat with three manufacturers to look back at the program and discuss industry's perspective on, and the real world implications of, international trade, industrial policy and sustainability.

Alan Luberdia, Partner, Kelley Drye & Warren LLP

Casey Bouton, President, Taubensee Steel & Wire

Lauren Wilk, Vice President, Government Affairs, Arconic

Jim Keffer, President, EBAA Iron Sales, Inc.

4:30 - 4:35 Closing Remarks

Alan Luberda

Speakers

[The Honorable Robert Portman](#), Former United States Senator (R-OH), United States Trade Representative, and Director of the Office of Management and Budget

[Alan Luberda](#), Partner, Kelley Drye & Warren

[Dana Wood](#), Director of Government Relations, Kelley Drye & Warren LLP

[Dustin Painter](#), Partner, Kelley Drye & Warren LLP

[John Herrmann](#), Partner, Kelley Drye & Warren LLP

[Jake Parker](#), Professional Staff Member, House Select Committee on the Strategic Competition between the United States and the Chinese Communist Party

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[Joshua Morey](#), Partner, Kelley Drye & Warren LLP

[John Foote](#), Partner, Kelley Drye & Warren LLP

[Carrie Schroll](#), Special Counsel, Kelley Drye & Warren LLP

[Mark Konkol](#), Partner, Kelley Drye & Warren LLP

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Materials

The Shifting Landscape of U.S.- China Relations and Policy

- [Biden Administration to Take Action on U.S. Outbound Investment Screening](#)
Trade and Manufacturing Monitor, April 4, 2023
- [Biden-Harris Administration Releases Report and Recommendations Concerning America's Supply Chains](#)
Trade and Manufacturing Monitor, June 9, 2021

Trade Legislation in the 118th Congress

- [Senators Brown, Young Introduce Legislation To Strengthen Trade Remedy Laws, Protect American Workers](#)
Press Release, Office of U.S. Senator Sherrod Brown
- [Text of H.R. 4521, The America Competes Act](#)
(America Creating Opportunities for Manufacturing, Pre-Eminence in Technology, and Economic Strength Act of 2022)
- [USITC Releases First Biennial Report on Economic Impact and Operation of USMCA Automotive Rules of Origin](#)
Trade and Manufacturing Monitor, July 20, 2023

Trends in Trade Remedy Enforcement

- [Trends In Trade Remedy Enforcement](#)
Powerpoint Presentation
- [Commerce Proposes Revisions to Section 232 Steel and Aluminum Tariff Exclusions Process](#)
Trade and Manufacturing Monitor, August 31, 2023
- [United States and India Announce Agreement Resolving Certain Trade Disputes](#)
Trade and Manufacturing Monitor, June 23, 2023
- [Commerce Publishes Long-Awaited Changes to AD/CVD Regulations](#)
Kelley Drye Client Advisory, October 1, 2021

Critical Minerals and Other Critical Materials - What Are They and Why Industry Should Care?

- [Critical Minerals and Other Critical Materials](#)
Powerpoint Presentation
- [U.S. and Japan Reach Agreement on Critical Minerals and Treasury Releases Guidance on EVs](#)

Trade and Manufacturing Monitor, April 7, 2023

- [President Biden Issues Directive to Boost Critical Mineral Production](#)
Trade and Manufacturing Monitor, April 7, 2023

Customs Roundup - UFLPA, Enforce and Protect and other CBP Priorities

- [U.S. Agencies Release Xinjiang Supply Chain Business Advisory Addendum](#)
Trade and Manufacturing Monitor, September 29, 2023
- [Expansion of UFLPA Entity List and Publication of 2023 UFLPA Strategy Updates](#)
Trade and Manufacturing Monitor, August 15, 2023
- [Congress Passes Uyghur Forced Labor Prevention Act](#)
Kelley Drye Client Advisory, December 20, 2021

Export and Sanctions - Debunking Common Myths in Trade Compliance

- [Debunking Common Myths in Trade Compliance](#)
Powerpoint Presentation
- [Commerce Department Publishes Best Practices to Prevent High-Priority Items From Being Diverted to Russia](#)
Trade and Manufacturing Monitor, October 3, 2023
- [U.S. and EU Regulators Provide Insights on Sanctions and Export Evasion Risks](#)
Trade and Manufacturing Monitor, September 13, 2023

Withstanding Labor Challenges in the Manufacturing Sector

- [Withstanding Labor Challenges in the Manufacturing Sector](#)
Powerpoint Presentation
- [NLRB Reiterates Its Commitment to Creating Employee-Friendly Policies](#)
Labor Days Blog, September 7, 2023
- [Ideologically Recalibrated NLRB Restocks Union Organizing Toolbox](#)
Labor Days Blog, December 21, 2022

U.S. Industrial Policy and Infrastructure: Considerations for U.S. Manufacturers

- [Commerce Department Strengthens Semiconductor and Advanced Computing Controls](#)
Trade and Manufacturing Monitor, October 18, 2023
- [Biden Administration Releases Six American Manufacturing and Supply Chain Reports](#)
Kelley Drye Client Advisory, March 8, 2022
- [U.S. Lawmakers Adopt Historic and Far Reaching Buy America Laws in Bipartisan Infrastructure Agreement](#)
Kelley Drye Client Advisory, November 10, 2021

Industrial Decarbonization: Opportunities and Challenges

- [Industrial Technologies Joint Strategy \(energy.gov\)](#)
Document outlining offices involved in DOE's Industrial Technologies Joint Strategy

- [Industrial Technologies Funding and Technical Assistance | Department of Energy](#)
Catalog of DOE funding and technical assistance opportunities for the industrial sector
- [Industrial Decarbonization Roadmap \(energy.gov\)](#)
Department of Energy Industrial Decarbonization Roadmap
- [Pathways to Commercial Liftoff Reports | Department of Energy](#)
DOE's Pathways to Commercial Liftoff reports, including report on industrial decarbonization
- <https://www.energy.gov/infrastructure/about-community-benefits-plans>
FAQs on Community Benefit Plans and Community Benefit Plans 101 webinar

Climate, Sustainability and Trade

- [PROVE IT Act Overview](#)
- Full Bill: [Providing Reliable, Objective, Verifiable Emissions Intensity and Transparency Act of 2023](#) or the "PROVE IT Act of 2023"
- [EU Issues Final Carbon Border Adjustment Mechanism Regulation](#)
Kelley Drye Client Advisory, October 1, 2023
- [Global Arrangement on Sustainable Steel and Aluminum \("GSA"\) Overview](#)
Kelley Drye Client Advisory, October 1, 2023

Other Materials

- [Communications Group Supports Manufacturers](#)