



John M. Foote

Partner

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About

John Foote brings an in-depth understanding of international trade law, U.S. trade policy, and global supply chains to his practice advising companies with trade compliance and enforcement challenges—especially related to forced labor trade laws.

Whether helping clients navigate trade enforcement actions, conducting sophisticated supply chain due diligence, or helping clients resolve disputes with U.S. Customs and Border Protection, John delivers sound counsel characterized by a dual orientation toward policy and compliance.

John is a respected authority on the use of trade laws to target forced labor in global supply chains. He is passionate about protecting both his clients and vulnerable populations from the deleterious impact of forced labor in global supply chains.

As restrictions on access to the U.S. market continue to grow, John gives companies practical advice on how to navigate all manner of trade enforcement actions and helps design compliance solutions to minimize the impact of the same.

Leader of Kelley Drye's customs practice, John helps companies leverage the building blocks of trade (classification, valuation, country of origin, preferential trade agreements, drawback, tariff exclusions, and waivers) to reduce the unnecessary costs of doing business and avoid business disruptions. He advises companies on strategies to mitigate the impact of high tariffs and advocates for the fair and transparent enforcement of U.S. trade laws.

John represents clients in enforcement proceedings before CBP, including Uyghur Forced Labor Prevention Act (UFLPA) detentions, detentions under Withhold Release Orders (WROs) pursuant to the forced labor import ban (Section 307 of the Tariff Act of 1930), Enforce and Protect Act (EAPA) proceedings, customs penalty actions, liquidated damages assessments, seizures, forfeitures, and customs audits.

John also represents clients in customs and trade disputes before the U.S. Court of International Trade and the U.S. Court of Appeals for the Federal Circuit.

A prolific writer and frequent speaker on trade and supply chain issues, John is recognized as an expert on the use of trade tools to address unfair or unjust labor conditions in global supply chains. These include forced labor trade laws, the Rapid Response Labor Mechanism under the United

States-Mexico-Canada Trade Agreement, and labor provisions under other free trade agreements.

Early in his career, John was a law clerk for the Hon. Gregory W. Carman at the U.S. Court of International Trade.

John complements his efforts addressing labor abuses in supply chains with a strong commitment to pro bono legal work, including assisting Uyghurs and others with asylum claims.

Experience

Advised multiple consumer goods companies on the design of supply chain compliance protocols to ensure that U.S. imported goods were not made, wholly or in part, in Xinjiang or with forced Uyghur labor.

Assisted Facebook in designing and conducting a public consultation with respect to the formation of the company's proposed Oversight Board for content moderation.

Represented a U.S. consumer goods importer on a tariff classification dispute before the U.S. Court of International Trade, successfully persuading CBP to voluntarily abandon its classification opinion, resulting in multi-million dollar refund.

Represented clients in filing comments on proposed trade enforcement actions (e.g., the proposed coverage of Section 301 tariffs), and in obtaining exclusions from Section 301 and Section 232 tariffs.

Advised a coalition of tech companies on the conformity of a proposed Indonesian regulation with Indonesia's previous commitments under the General Agreement on Trade in Services (GATS).

Assisted a company named in a forced labor withhold release order ("WRO") issued by CBP in obtaining the complete revocation of such order—the only such complete WRO revocation in the modern era of CBP forced labor enforcement.

Advised multiple importers on "first sale" duty savings programs and FTA eligibility reviews.

Honors

Ranked nationally as a leading practitioner in the International Trade: Customs area by *Chambers USA*, 2023.

Ranked as a leading practitioner in the International Trade: Customs area by *Chambers Global*, 2024.

Recommended in the *US Legal 500* for his work in the International Trade area, 2021-2022.

Affiliations

American Bar Association – International Section

Customs and International Trade Bar Association

Related Services

International Trade

Customs

Environmental, Social and Governance (ESG)

Forced Labor Trade Enforcement

Trade Policy
Trade Remedies (AD/CVD/Safeguards)

Education

University of Kansas School of Law, J.D., 2008

University of Kansas, M.A., 2008

- Economics

Miami University, B.A., 2002

- cum laude

Admissions

District of Columbia, 2016

New York, 2009

Courts

U.S. Court of Appeals–Federal Circuit