

B. GAITHER WHALEY II

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PROFESSIONAL SUMMARY Global Trade Professional with more than 15 years of progressive experience in global customs working directly with U.S. and foreign government agencies. A proven strategic partner with intercompany business groups and an effective asset to multinational companies. In-depth knowledge of import, export, supply chain, global trade compliance, and supplier management.

CORE QUALIFICATIONS

- Global Trade Compliance Automation
- Build, customize, and implement Global Trade Compliance Program
- Strategic and operational planning insight for trade compliance and global logistics
- Development and implementation of trade compliance policies and procedures for brokerage and domestic/international forwarding and transportation services
- Working knowledge of the Export Administration Regulations, OFAC, FTR, US and foreign customs
- Thrives in a fast-paced environment
- Analytical and decisive thinker
- Ability to work both as an individual and team player
- Conduct training at all organizational levels
- Identify compliance risk, trystorm to get temporary and/or permanent countermeasure
- Assessment, training, and development of staff
- Team building and management
- Ensure the cost-effective and efficient flow of goods across country borders to support supply chain requirements
- Work with engineers and technical product specifications to assess compliance needs, classification and OGA requirements
- Manage import, export, and FTA's
- Achievement of compliance goals with cross-functional business groups and vertical collaboration on key projects

EXPERIENCE

11/2020 - Present

Trade Compliance Manager

Comet Technologies USA Inc. – San Jose, CA

- Develop, deploy, and improve global trade compliance program and procedures that meet evolving regulations and requirements.
- Direct remediation efforts across the company through in-depth gap assessment and process improvement/implementation to mitigate risk to the company and ensure compliance with global laws and regulations.
- Act as company coordinator for execution of Customs audit matters, remediation actions and disclosures.
- Develop a communication strategy for global trade compliance program to increase visibility of the function within the Company and enhance Company employees' understanding/awareness of Global Trade Compliance (GTC) issues, including developing function-based, risk-based trade compliance training and communications.
- Provide strategic consultation to business units, global subsidiaries, sales, procurement, project managers, order management, etc.
- Resolve matters pertaining to export/import transactions, Supply Chain Optimization, and International Trade Sanctions to ensure compliance with all applicable U.S. laws and regulations, as well as local country laws.
- Oversee and provide guidance to the trade compliance team (including as necessary trade operations stakeholders at global subsidiaries) in their day-to-day compliance matters which are not limited to, but include customer and transaction screening escalations, end-use/user restrictions, sanctions, export license determination, consult on supply chain security programs, partner/other government agency requirements, and escalation matters
- Consults with Comet Technologies USA Inc. and Comet Group legal counsel as needed to resolve difficult legal compliance issues.
- Identify and escalate opportunities for global duty savings
- Automate and streamline internal control programs
- Provide guidance to and coordinate Imports and exports with all business groups
- Monitor Country of Origin, Harmonized Tariff/Schedule B codes and Export Control Classifications in Item Master and providing corrections in a timely manner
- Oversee activities with U.S. Customs Brokers and freight forwarders, including audit and
- Verification of Import/Export documents, including 7501's, SED's, Invoices and
- Manufacturing Affidavits, and expedite clearance of shipments that have been delayed by U.S. Customs
- Participate in product jurisdiction and classifications reviews for both commercial and defense-related products
- Participate on investigation and documentation of any export or import violation
- Partner with senior leadership to identify compliance gaps and resolve audit findings
- Foster and maintain cross-functional relationships to achieve business goals
- Drive processes and improvements for Trade Compliance in areas such as HTS and ECCN Classifications, Certificate of Origin, and Duty Drawback
- Responsible for policy, procedures, and auditing of the Import/Export Compliance functions
- Stay abreast of rule and regulation changes in Global Trade
- Implement and/or foster continuous improvement for new-customer and existing clients.
- Conduct supply chain reviews on clients routing.

- Conduct audits and reviews to vendors, carriers, service providers and customers.
- Schedule routine audits of procedures and maintain compliance records.
- Schedule periodic review of policies and procedures.
- Recommend process/policy changes to ensure compliance with all regulations and assist in the documentation or training of those changes.

02/2019 – 11/2020

Trade Compliance Manager

Export Solutions Inc at Comet – San Jose, CA

- Identify and escalate opportunities for global duty savings
- Responsible for the preparation of all import clearance checklists for the Customs Broker, to include a review of product jurisdiction, classification compliance, duty rates, applicability of duty-free entry, valuation issues, country of origin, NAFTA and other Free Trade Agreement issues of imported commodities
- Broker management and tracking of key performance indicators (KPIs)
- Develop global customs compliance policies and procedures; Coordinate routine formal assessments of the division and plant activities to ensure that policies and procedures are properly followed and that all activities and transactions are in compliance with the applicable import/export laws
- Automated and streamlined internal control program with the development of a single-trade compliance database to mitigate risk
- Knowledge and application of, a wide variety of U. S. Import and Export regulations, (i.e. International Traffic in Arms, Export Administration Regulations and U.S. Customs)
- Responsible for the preparation of license applications, (i.e. ITAR or EAR)
- Ensure export licenses, agreements, technical data transfer logs and other export records are maintained and organized in accordance with US export regulations
- Train and audit staff on the preparation of all export shipment documentation, as well as reviewing the transmission of such export information via the Automated Export System (AES) and UPS WorldShip and/or Federal Express Ship Manager software, or to the designated freight forwarder
- Resolve any AES issue/issues that may result internally or with freight forwarders in a timely manner
- Provide guidance to and coordinate Imports with all business groups
- Supervise and validate Certificates of Origin and FTA campaign pertaining to special trade programs.
- Monitor Country of Origin, Harmonized Tariff and Schedule B codes in Item Master and providing corrections in a timely manner
- Oversee activities with U.S. Customs Brokers and freight forwarders, including audit and verification of Import/Export documents, including 7501's, SED's, Invoices and Manufacturing Affidavits, and expedite clearance of shipments that have been delayed by U.S. Customs
- Conduct Denied Party Screening as required for all export and import related activities and participate in the review of such transactions within the organization
- Participate in product jurisdiction and classifications reviews for both commercial and defense-related products
- Participate on investigation and documentation of any export or import violation
- Partner with senior leadership to identify compliance gaps and resolve audit findings
- Create and implement training program
- Foster and maintain cross-functional relationships to achieve business goals

05/2015 – 01/2019

Trade Compliance Manager (Sr. Trade Compliance Specialist 05/2015-06/2016)

Kavo Kerr, Dental Platform – Orange, CA

- Create and sustain Global Trade Program Improvements
- Track metrics to monitor business objectives
- Creation and roll out of the Global Trade Compliance program to new and existing sites.
- Project Management of GTM rollout
- Created and maintain The Dental Platform Trade Compliance SharePoint site
- Review, contribute and approve Customs inquiries
- IML maintenance (HTS, COO, PGA, Schedule B and ECCN)
- Maintain country of origin and classification database for all imported parts
- US and OUS Site Trade Compliance programs internal audits
- Building strategic partnerships with all business groups
- Broker and vendor management
- Audit Customs entries for accuracy and comprehensiveness
- Update policy and/or procedures to reflect the current regulations Implement and maintain a record keeping program
- Implement and maintain a document retention program regarding trade compliance
- Preferential Trade Programs
- Develop and sustain trade compliance SOPs
- Leverage Danaher Business Systems, lean tools and practices
- Develop and provide training and assistance, as directed/needed, to relevant departments and local plant import and export compliance associates
- Actively participate in special projects as assigned.

09/2013 – 05/2015

Trade Compliance Analyst

Allegion (formerly Ingersoll Rand) – San Diego, CA

- Support business wide compliance with US government regulations concerning import and export operations, as well as global operations
- Interface with internal and external parties, including product development, production planning, procurement, logistics, accounting, suppliers, customs brokers, etc. on a wide array of trade compliance matters, including HTS and ECCN classification, valuation, country of origin, marking and FTA determinations
- Research customs regulations, rulings and Explanatory Notes and apply principles of the GRIs to determine regulatory or interpretive basis for classifications, and communicate such analysis with internal clients and external customs brokers
- Help maintain centralized compliance, import and export databases
- Determine FTA qualification based on Rules of Origin, and help prepare documentation

and analysis to maximize program benefits

- Maintain appropriate documentation to substantiate origin determinations
- Support FTA origin certifications from suppliers
- Conduct post importation and exportation audits to ensure compliance with US regulations including examination of import entry documents, ISF filings, receiving and payment records, EEI filings, and CTPAT audit related paperwork
- Support analysis related to US Customs Value Reconciliations filings
- Provide professional support to internal clients, external customs brokers, and customers on trade compliance matters
- Update and develop import and export policies and procedures
- Support tracking of KPIs or metrics for import/export operations

01/2007 – 03/2013

Global Trade Regulatory Compliance Consultant Urusan Consulting Under Contract to Applied Materials Inc. – Santa Clara, CA

- Obtained and provided HTS, COO, trade sensitive information, value verification, IOR, etc. for US Customs clearance
- Identified compliance needs in Global Trade operations; collaborated for best practices and implementation of processes and procedures
- Conducted daily internal import and compliance reviews for import operations.
- Daily interaction with US Customs brokers and couriers
- Audited, advised, educated and obtained the required compliance information and/or documentation from overseas offices, vendors and suppliers
- Compliance Project Management within The Global Trade Compliance business group
- Major contributor to the classification, valuation, and country of origin
- Global Trade compliance database development
- Ensured the applicable global customs requirements, programs and directives are compliant

09/2004 – 12/2006

Financial Representative

Northwestern Mutual Financial Network – Phoenix, AZ

- Provided expert guidance for individuals and businesses in the areas of retirement planning, insurance and investment services, estate planning, education funding, and employee benefits
- Managed diverse client portfolio individually and in teams

01/2003 – 11/2003

Import and Ocean Freight Manager

Expeditors International – San Diego, CA

- Managed international ocean freight and domestic logistics
- Responsible for managing the department's profit and loss

- Ensured global customs requirements, programs and directives were compliant and used when appropriate
- Conduct internal import compliance reviews Managed import compliance review of staff, clients, vendors and suppliers
- Sales, sales support, account retention and maintenance by managing and working with US and International staff, suppliers and vendors

04/2002 – 12/2002

Global Trade Regulatory and Export Compliance Consultant

Urusan Consulting Under Contract to Hewlett Packard – Palo Alto, CA;

LAM Research – Fremont, CA

- Managed international ocean freight and domestic logistics
- Conducted internal import compliance reviews of assigned sections of the
- Development and maintenance of US import database
- Product classifications and trade sensitive data elements added to compliance database
- Efficient and compliant product delivery to foreign destinations by satisfying US and country specific requirements
- Advised North American Export Group

03/2000 – 11/2001

International Trade and Export Compliance Analyst

Legato Systems Inc. – Mountain View, CA

- Managed international ocean freight and domestic logistics
- Conducted internal import compliance reviews of assigned sections of the US import database
- Ensured efficient and compliant product delivery to foreign destinations by satisfying country specific requirements
- Responsible for maintaining and updating export policy and procedures
- Maintained and updated export compliance program
- Monitored and addressed Fulfillment house service level agreement and corrective actions
- Managed implementation of automated denied/restricted parties, embargoed/sanctioned countries and active party screening project
- Maintenance and updating of international trade compliance database (Export licensing, ECCN, CCL and product encryption data)
- Compliance lead with business groups, vendors and suppliers

02/1999 – 02/2000

Export Compliance Analyst Amdahl

Corporation – Santa Clara, CA

- Maintenance and updating of international trade compliance database (Export licensing, ECCN, CCL)
- Ensured efficient and compliant product delivery to foreign destinations by satisfying

country specific requirements

1995 – 01/1999

Import and Air Export Coordinator

ClearFreight Inc. – San Francisco and Los Angeles, CA

- Analyzed and proposed supply chain network options for best transit times, rates and risk based on customer requirements
- Ensured timely delivery and compliance with US and foreign customs
- Contributed, maintained and updated compliance and customer databases for brokerage
- Helped maintain and grow domestic and international brokerage and supply chain network
- Created export documents specific for country of destination customs requirements
- Product classification and OGA requirements
- Logistics operations, sales and spot negotiations

EDUCATION

1991 BA: Business Administration

Hofstra University – Hempstead, New York

ANNUAL REGULATORY AGENCY AND INDUSTRY TRAININGS AND CONFERENCES

- ITAR
- BIS Update Conference on Export Controls and Policy
- Trade Facilitation and Cargo Security Summit
- Various others