

## Practice Contact

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# Export Controls and Sanctions Programs

Our attorneys advise clients on a wide range of matters involving the exportation of goods and services regulated by the Export Administration Act, the International Traffic in Arms Regulations (ITAR), and the Foreign Assets Control Regulations. We also provide assistance on matters before the Bureau of Industry and Security (BIS), the Office of Foreign Assets Control (OFAC), and the State Department. We have assisted clients regarding the proper export classification of their products and to evaluate whether a particular item or transaction is subject to U.S. government export regulations, and we have guided our clients in applying for and obtaining export licenses and classification rulings prior to engaging in export transactions.

We also counsel clients regarding the impact of the Foreign Corrupt Practices Act (FCPA) on their domestic and foreign businesses, and we assist clients in establishing FCPA corporate compliance programs. In addition, we advise clients on antiterrorism restrictions, and in complying with regulatory reporting requirements under the U.S. antiboycott laws. We have aided clients which are making voluntary self disclosures and have counseled clients which are subject to investigation, license revocation proceedings, and penalty assessments.

In addition, our lawyers regularly advise clients regarding international economic sanctions programs administered by OFAC and the impact of such programs on our clients' export transactions and global operations. We have helped our clients to develop export management and compliance programs aimed at ensuring that internal procedures and external activities are compliant with U.S. government laws and regulations.

Recent examples of our work in this area include the following representative transactions:

- Representation of an aircraft company regarding a BIS export license exception on its encrypted software product, including counseling the company on the various reporting requirements related to license exceptions

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- Counseling of a high technology trade association concerning possible BIS and ITAR export considerations for its proposed technology website
- Representation of an international trading company regarding the effect of OFAC regulations on its overseas subsidiaries
- Representation of a metals distribution and engineering company with respect to the ability of its foreign affiliates to obtain materials from countries subject to OFAC restrictions
- Counseling a U.S. corporation on the potential impact of OFAC regulations on its acquisition and operation of foreign subsidiaries conducting business with or in embargoed countries
- Representation of a U.S. university in respect of licensing issues regarding its educational programs in jurisdictions subject to OFAC restrictions