



ATTORNEYS

- M. Sean Purcell

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 assist them on matters pending before the Bureau of Industry and Security (BIS), the Office of Foreign Assets Control (OFAC), and the State Department's Directorate of Defense Trade Controls. We have helped our clients to determine the proper classification of restricted items and to evaluate whether a particular item is subject to U.S. government export regulations, and we have guided our clients in applying for and obtaining export licenses, commodity jurisdictions, 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.

Our attorneys have assisted clients in structuring export transactions to minimize the administrative cost of compliance with U.S. government regulations 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 have advised 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.

Our work in this area includes the following matters, among others:

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(continued)

- 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
- Representation 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