

Economic Sanctions & Export Controls

Miller & Chevalier's economic sanctions and export controls practice provides advice that is practical, actionable, and tailored to each client's specific circumstances and risk profile. We draw on our team's invaluable mix of experience in government service and on the defense side of economic sanctions and export controls matters, as well as our firm's unique expertise in building effective compliance programs for U.S. and multi-national clients across a range of industries and countries.

Our economic sanctions and export controls practice is especially active in the investigations space and we routinely conduct internal investigations and represent clients in related matters before the United States Department of the Treasury's Office of Foreign Assets Control (OFAC), the United States Department of Commerce's Bureau of Industry and Security (BIS), the United States Department of State's Directorate of Defense Trade Controls (DDTC), and the United States Department of Justice (DOJ). We also conduct trade-focused risk assessments, help clients design and implement tailored, risk-based compliance programs, and provide practical, day-to-day advice on economic sanctions and export controls issues of all varieties.

Our lawyers have great depth in economic sanctions and export control laws, regulations, policies, and interagency processes and provide services in the following areas:

- **Investigations and Enforcement.** Violations of the economic sanctions and export controls rules carry steep penalties, sometimes stretching into the hundreds of millions of dollars. We lead properly-scoped internal investigations that help our clients identify and remediate apparent violations, defend clients before U.S. enforcement authorities, and handle related criminal and civil cases that may arise in such matters.
- **Risk Assessments and Audits.** We conduct risk assessments and audits to determine the unique economic sanctions and export control risks facing our clients. In response, we help clients determine how best to build and strengthen their compliance programs and assist in the ongoing monitoring of those programs.
- **Compliance Counseling.** We offer practical, implementable advice on the constantly evolving maze of economic sanctions and export control rules and regularly interact with regulators on routine and novel issues. We also provide customized training on compliance best practices.
- **Transactional Due Diligence.** We help companies identify and efficiently mitigate any economic sanctions and export controls risks arising out of mergers and acquisitions (M&A), joint ventures, contractual relationships, and other transactions that may give rise to such risks.
- **Licensing, Commodity Jurisdiction (CJ) Determinations, and Classification Rulings.** Our regulatory and technical expertise in these areas allow us to present commodity jurisdiction, classification, and license requests to the responsible agency in the most favorable manner possible.

REPRESENTATIVE ENGAGEMENTS

- Conducted cross-border investigations relating to Russia, China, Pakistan, Iran, the United Arab Emirates, Panama, Cuba, and other countries, and represented multi-national companies and executives before DOJ, OFAC, DDTC, and BIS in civil and criminal enforcement proceedings
- Represented multi-national companies in administrative and criminal subpoena and grand jury proceedings involving conduct in Russia, China, Iran, Netherlands, Spain, Panama, and other countries
- Represented multi-national companies in investigating potential violations of the U.S. economic sanctions and export controls and prepared reports and recommendations about possible ways to address potential violations
- Advised numerous U.S., European, and Asian companies on U.S. economic sanctions and export controls issues
- Advised multi-national companies based in the U.S., Europe, Asia, and Latin America on day-to-day compliance issues involving

- Russia, Iran, Cuba, North Korea, and other U.S. sanctions programs
- Represented individuals and companies seeking removal from OFAC sanctions lists
- Represented multiple companies submitting applications to OFAC for authorization to engage in conduct otherwise prohibited by economic sanctions
- Defended companies before BIS in cases involving potential violations of BIS Entity List prohibitions and various other alleged export and re-export violations
- Represented companies and individuals before OFAC and the U.S. Department of State in connection with U.S. secondary sanctions matters

GOVERNMENT EXPERIENCE

- General Counsel, U.S. Department of Commerce
- Counselor to the Secretary, U.S. Department of Commerce
- Deputy General Counsel, U.S. Department of Commerce
- Chief, Special Litigation Division, Public Defender Service for the District of Columbia
- Assistant Federal Public Defender, Las Vegas, Nevada
- Appellate Deputy Public Defender, Nevada State Public Defender's Office
- Trial Attorney, Counterintelligence and Export Controls Section, National Security Division, U.S. Department of Justice
- Counsel, Assistant Attorney General for National Security, U.S. Department of Justice
- Attorney-Advisor, Office of International Trade - Regulations & Rulings, U.S. Customs and Border Protection
- Staff Attorney, Appellate Division, Public Defender Service for the District of Columbia

RANKINGS AND RECOGNITION

- *Chambers Global*: International Trade (United States), 2005 - 2015
- *Chambers USA*: International Trade (Nationwide), 2005 - 2014
- *Latinvex*: Latin America's Top 10 FCPA & Fraud Firm, 2015 - 2021
- *Legal 500*: Dispute Resolution: International Trade (U.S.), 2011, 2013 - 2021
- *U.S. News - Best Lawyers*® "Best Law Firms": International Trade and Finance Law (National), 2011 - 2021
- *U.S. News - Best Lawyers*® "Best Law Firms": International Trade and Finance Law (District of Columbia), 2011 - 2021