Steptoe's export controls team has extensive experience helping US and non-US companies cope and comply with US, UK, EU, and Chinese export controls regulations on the transfer of goods, technology, software, services, and information to foreign nationals and foreign destinations. Our US team handles transfers of dual-use items (controlled under the Export Administration Regulations (EAR) administered by the US Department of Commerce) and defense articles and services (controlled under the International Traffic in Arms Regulations (ITAR) administered by the US Department of State). We also assist clients with nuclear-related export controls administered by the Nuclear Regulatory Commission and the US Department of Energy. Our UK, EU, and China teams work with the equivalent legal regimes and regulatory agencies in those jurisdictions, including, among others, the UK’s Export Control Organisation (ECO). We also assist clients with the parallel US regulatory requirements under the Foreign Trade Regulations, administered by the Census Bureau and Customs and Border Protection, including the appropriate electronic submissions under the Automated Export System, corrections thereto as needed, voluntary disclosures, and enforcement.

Steptoe's team understands the legal and policy considerations that affect export licensing decisions and the agency procedures that drive regulatory interpretations, decision-making, and enforcement. We routinely monitor regulatory and legislative developments, including in Washington, London, Brussels, and Beijing. Our understanding of and experience with US and EU economic sanctions programs and the often-complex manner in which they overlap with export controls regulations enhances the value we provide to our clients.

Lawyers in our practice have also consistently received the highest ranking in Chambers USA and Chambers Global. We are at the forefront of thought leadership regarding export controls: our International Compliance Blog and International Law Advisory publications provide frequent and regular insights into export control policy developments.

Distinguishing features of our practice:

- **Counseling and Licensing:** We quickly and efficiently assess potential hurdles in export transactions, evaluate alternatives, seek authorizations where needed, and identify potential license exceptions (including in the area of encryption) for clients.

- **Jurisdictional and Classification Assessments:** We seek jurisdiction and export control classifications, including for commercial products and technologies that are increasingly used in the military and homeland security industries.

- **Internal Corporate Compliance:** We help clients develop and implement compliance programs that protect against regulatory risks yet minimize disruption of business operations.

- **Experience with Cutting-edge Issues:** We handle some of the most difficult areas of changing export control laws, including encryption technology regulation, e-commerce transactions, deemed exports, cybersecurity, intra-company transfers within multinational entities, merger and acquisition due diligence, and global supply chain issues.

- **Investigations and Enforcement:** We conduct internal audits, internal investigations, and voluntary disclosures to regulatory agencies, and we have extensive experience with government-initiated inquiries, subpoenas, and investigations on both the civil and criminal side of enforcement. Drawing where needed on the experience of our technology, government contracts, export control, and white-collar criminal defense lawyers, we deal forthrightly and effectively with allegations of regulatory transgressions.

- **Cross-Border Capabilities:** We have a rare ability to provide clients seamless export control, customs, and sanctions assistance across multiple jurisdictions, drawing on the experience of our lawyers in Washington, London, Brussels, Beijing, and Hong Kong who each bring different competencies to the table. Additionally, our Lex Mundi affiliate network offers global reach in nearly every major jurisdiction.
Noteworthy

- *Chambers Asia-Pacific*, International Trade/WTO, China (2011-2021)
- *Chambers USA*, International Trade, Nationwide (2005-2016)

Representative Matters

- Defended a US multinational food producer in a US government inquiry relating to potential export control and sanctions restrictions of US and foreign affiliate sales of products to a US-embargoed country, resulting in successful resolution of the government investigation and no enforcement action.
- Defended a non-US oilfield service company in connection with a US Department of Commerce investigation into the export/reexport of national security-controlled equipment into Russia, with successful resolution and rescission of the administrative charge.
- Defended Chinese nationals in criminal prosecution of individuals and company for alleged export control violations arising from acquisition of US-origin controlled products transshipped to a US-restricted country, with successful resolution of enforcement action through favorable plea agreement, no monetary penalty, limited to time served, and expedited return to home country.
- Prepared commodity jurisdiction and classification matrices, and secured US government agency rulings for a US defense contractor. Assisted with implementation of a new jurisdiction and classification assessment program required as a result of US Export Control Reform; assisted with developing program and implementation materials, as well as helped to develop the automated tools needed to make the process as efficient and effective as possible; developed related training programs, and assisted the company in training personnel around the world.
- Assisted major US and EU exploration and production companies with developing export control compliance programs, program reviews, and project-specific compliance requirements based on identifiable risks associated with the business activity of these specific projects and undertakings.
- Represented major US aerospace and defense company in internal investigations regarding export of technical data from the United States to foreign persons, reexports and retransfers by a foreign subsidiary of foreign origin defense articles incorporating ITAR-controlled components for NATO defense programs and certain spacecraft programs, and other business dealings resulting in voluntary disclosures to the Directorate of Defense Trade Controls (DDTC) and OFAC; conducted post-closing due diligence on US business acquisitions.
- Assisted and advised companies supplying valve, flow meter, regulator, and heat exchanger equipment in connection with export control jurisdiction and licensing requirements when supplying various types of equipment and technical data to non-US nuclear power electrical-generating stations.
- Represented a European energy exploration company in responding to inquiries from the US Department of Commerce regarding use of certain US equipment, ultimately receiving written confirmation from the agency that the activity was permissible; provided export control and economic sanctions compliance advice to the company regarding activity in higher-risk jurisdictions.
News & Publications

MEDIA MENTIONS
HKTDC Features Ali Burney in Q&A on Policy, Regulatory Changes in Biden Administration
December 14, 2020

MEDIA MENTIONS
South China Morning Post Quotes Ali Burney on Trump's China Sanctions
November 30, 2020

PUBLICATIONS
Interim Rule Implements Section 889 Ban on Contractors Using Technologies from Certain China-Based Companies
Government Contracting Law Report
November 23, 2020
By: Paul R. Hurst, Meredith Rathbone, Peter Jeydel, Caitlin Conroy

MEDIA MENTIONS
Law.com International Quotes Nick Turner on Biden Presidency’s Impact on Legal Practices
November 11, 2020

MEDIA MENTIONS
Asian Legal Business Features Wendy Wysong in Law Firm Leaders Profile
November 4, 2020

PRESS RELEASES
GIR Names Steptoe One of the Top 30 Investigations Firms for Sixth Year
October 23, 2020

CLIENT ALERTS
Five Key Takeaways from OFAC and FinCEN’s Ransomware Advisories
October 20, 2020
By: Edward J. Krauland, Meredith Rathbone, Charles-Albert Helleputte, Michael Vatis, Jack R. Hayes, Evan T. Abrams

MEDIA MENTIONS
Asian Legal Business Features Wendy Wysong in Hong Kong Q&A
October 15, 2020

PUBLICATIONS
Export Controls in the United States
Global Investigations Review
2020
By: Meredith Rathbone, Hena Schommer

PUBLICATIONS
Sanctions and Export Controls in the Asia-Pacific Region
Global Investigations Review
2020
By: Nicholas Turner, Wendy Wysong, Ali Burney
Events

WEBINARS

Investigations & Enforcement Webinar Series
Quarterly Investigations Update
October 27, 2020
Speakers: James D. Barnette, Christopher R. Conte, Paul R. Hurst, Patrick F. Linehan, Lucinda A. Low, Michael Campion Miller, Brittany Prelogar, Wendy Wysong

WEBINARS

Rising Tensions – Increased Trade Controls
How companies are handling ever-tightening US export controls and sanctions focused on China
October 7, 2020
Speaker: Wendy Wysong

WEBINARS

The Limits of US "Long-arm" Jurisdiction
August 4, 2020
Speakers: Michelle L. Levin, Wendy Wysong

WEBINARS

Investigations & Enforcement Quarterly Webinar Series
Midyear Update
July 16, 2020
Speakers: James D. Barnette, Christopher R. Conte, Paul R. Hurst, Patrick F. Linehan, Lucinda A. Low, Michael Campion Miller, Brittany Prelogar, Wendy Wysong

ON DEMAND

May 26, 2020
Speakers: Brian Egan, Daniel A. Mullen, Jeffrey G. Weiss

WEBINARS

2015 Developments Regarding Economic Sanctions and Export Controls
December 15, 2015
Speakers: Alexandra Baj, Jack R. Hayes, Meredith Rathbone, Edward J. Krauland
International Law Advisories

INTERNATIONAL LAW ADVISORY

US Government Ramps Up Actions to Combat Forced Labor
November 30, 2020
By: Meredith Rathbone, Brittany Prelogar, Nicholas Kimbrell

INTERNATIONAL LAW ADVISORY

Sanctions Under the Biden Administration: A Return to 'Smart?'
November 24, 2020
By: Edward J. Krauland, Meredith Rathbone, Wendy Wysong, Hena Schommer, Jack R. Hayes, Nicholas Turner, Peter Jeydel, Evan T. Abrams, Martin Willner, Nicholas Kimbrell, Jordan Cannon (Law Clerk)

INTERNATIONAL LAW ADVISORY

HKSE Listing Applicants: What You Should Know about Sanctions and Export Controls Due Diligence
October 21, 2020
By: Wendy Wysong, Ali Burney, Nicholas Turner, Wan Yi Ho

INTERNATIONAL LAW ADVISORY

White House Memorandum Sets Out Best Practices for Agency Enforcement Actions
October 9, 2020
By: Wendy Wysong, Brian Egan, Edward J. Krauland, Ali Burney, Meredith Rathbone, Nicholas Turner

INTERNATIONAL LAW ADVISORY

US and EU Actions to Address Supply Chain Threats Caused by Reliance on Critical Mineral Imports
October 8, 2020
By: Jeffrey G. Weiss, Meredith Rathbone, Simon Hirsbrunner, David O'Sullivan, Peter Jeydel, Yongqing Bao

INTERNATIONAL LAW ADVISORY

New Orders Issued Barring Imports into the US from Certain Xinjiang-Related Entities
September 18, 2020
By: Brittany Prelogar, Meredith Rathbone, Gregory S. McCue, Nicholas Kimbrell

INTERNATIONAL LAW ADVISORY

US Weighs Further Xinjiang-Related Enforcement, Including Cotton Import Ban
September 9, 2020
By: Brittany Prelogar, Meredith Rathbone, Gregory S. McCue, Wendy Wysong, Ali Burney, Nicholas Turner, Nicholas Kimbrell

INTERNATIONAL LAW ADVISORY

Assessing the Impacts of Executive Order 13936 on Hong Kong's Status, One Month Later
August 25, 2020
By: Alexandra Baj, Ali Burney, Brian Egan, Eric C. Emerson, Edward J. Krauland, Michelle L. Levin, Patrick F. Linehan, Meredith Rathbone, Wendy Wysong, Elizabeth (Liz) Laskey LaRocca, Hena Schommer, Nicholas Turner, Dana J. Delott, Anthony Pan, Zachary Simmons, Martin Willner, Jacob Nelson (International Trade Assistant)