National Security laws and policies impact virtually every cross-border business. Clients must take national security, homeland security, and foreign policy into account in making consequential decisions on international trade and investment, cybersecurity and data and infrastructure protection, interactions between law enforcement and the private sector, regulatory compliance, immigration, and emergency preparedness. Steptoe’s National Security Group – one of the deepest and most well-established amongst US law firms – provides practical legal advice and counsel to clients on the national security, homeland security, and foreign policy dimensions of these issues.

Complementing and drawing on the firm’s other marquee practices, our National Security group includes former senior US government officials from the National Security Council, the Departments of State, Treasury, Justice, Defense and Homeland Security (DHS), the Central Intelligence Agency, the National Security Agency, and the Federal Bureau of Investigation. We have an in-depth understanding of the relevant legal requirements and regulatory frameworks at each of these agencies, as well as many of DHS’s sub agencies (for example, the Transportation Security Administration, Customs and Border Protection, and Immigration and Customs Enforcement). In many cases, Steptoe lawyers and professionals helped develop the relevant laws and policies that govern these organizations today.

We provide legal advice and counsel related to US national security, homeland security, and foreign policy to clients in virtually every key cross-border business sector, including defense, aviation and other transportation, finance, logistics, technology and telecommunications, and manufacturing, as well as to sovereign governments.

CFIUS Review

Steptoe’s national security practitioners have significant experience advising clients on the work of the Committee on Foreign Investment in the United States (CFIUS) and other US government processes for review of foreign investments, including Foreign Ownership, Control or Influence (FOCI) mitigation review conducted by the US Department of Defense’s Defense Security Service (DSS) and the “Team Telecom” national security review conducted in conjunction with certain Federal Communications Commission license applications.

Steptoe lawyers provide clients with a sophisticated insider’s understanding of the process by which the US government reviews national security implications of foreign investments under CFIUS and other mechanisms.

Noteworthy

- **Chambers Asia-Pacific**, International Trade/WTO, China (2011-2020)
- **Chambers USA**, International Trade: CFIUS Experts, Nationwide (2017-2020)
- **Chambers USA**, International Trade, Nationwide (2005-2016)
- **Law360**, International Trade Group of the Year (2010-2013, 2015, 2019)
Representative Matters

The CFIUS and FOCI processes are highly confidential, and the government does not even disclose the fact that specific transactions or companies are subject to review. Publicly available information is therefore limited. But companies themselves sometimes disclose information about their interaction with the CFIUS and FOCI processes, and Steptoe lawyers have been involved in many seminal cases, including the following illustrative matters:

- Regularly advise defense contractors on Department of Defense supply chain and service provider cybersecurity requirements.
- Represent the Coalition for Responsible Cybersecurity, a broad cross-section of US- and EU-based cybersecurity companies, including Symantec, Philips, Microsoft, Ionic Security, FireEye, and Raytheon, to educate policymakers in the US, EU, UK, and around the world on the dangers of adopting export control regulations that would limit cybersecurity effectiveness and the options available for controlling malicious activity on the internet without stifling defensive capabilities.
- Obtained CFIUS and DSS/FOCI clearance for acquisition by non-US company of a leading cybersecurity business.
- Obtained CFIUS clearance for a Chinese multinational computer and personal technology company, with regard to its $2.9 billion acquisition of Motorola Mobility, a mobile telecommunications device company.
- Represented Ralls Corporation before CFIUS; Ralls had acquired windfarm projects and our representation began when CFIUS requested Ralls submit to a CFIUS review, a review the US Court of Appeals subsequently found violated Ralls’ constitutional rights.
- Advised an Indian company regarding the FOCI aspects of its entrance into the US aerospace and defense market.
- Advised a US information technology company with classified contracts regarding CFIUS and DSS/FOCI processes entailed in a transaction with a European company.
News & Publications

PRESS RELEASES
Steptoe Podcast Ranks First in 2020 Social Law Firm Index
November 13, 2020

MEDIA MENTIONS
Inside Cybersecurity Quotes Stewart Baker on DHS Succession
August 19, 2020

MEDIA MENTIONS
Bloomberg Technology Interviews Stewart Baker on Security Concerns Over TikTok, WeChat
August 11, 2020

MEDIA MENTIONS
Reorg Quotes Evan Abrams on CFIUS’s Online System to Speed Up Deal Work
July 10, 2020

PRESS RELEASES
Judy Wang Named a Leadership Council on Legal Diversity Pathfinder
May 1, 2020

PRESS RELEASES
Steptoe Receives 19 Practice, 56 Individual Mentions in Chambers USA 2020
April 23, 2020

PRESS RELEASES
Washington, DC Super Lawyers Recognizes 62 Steptoe Attorneys
April 17, 2020

PRESS RELEASES
Steptoe Receives China Business Law Award for Seventh Consecutive Year
April 6, 2020

CLIENT ALERTS
Defense Production Act Invoked, Order Issued
March 28, 2020
By: Alan Cohn, Paul R. Hurst, James D. Barnette, Joe Corrigan, Caitlin Conroy

MEDIA MENTIONS
Reorg Quotes Evan Abrams on Extended CFIUS Investigations Amid Coronavirus
March 27, 2020
Events

ON DEMAND
Times Change, CFIUS Remains
National Security and Foreign Investments into the United States Post-COVID-19
April 17, 2020
Speakers: Brian Egan, Wendy Wysong, Hena Schommer

WEBINARS
The Long Arm of the New EU Data Protection Jurisdiction
The Global Reach of GDPR (Part I)
December 6, 2017
Speakers: Stewart A. Baker, Maury Shenk, Philip Woolfson

SEMINARS & EVENTS
Election Cybersecurity
How Bad Is It and What Can We Do About It?
November 7, 2017
Speaker: Stewart A. Baker
Steptoe
1330 Connecticut Avenue, NW
Washington, DC 20036

WEBINARS
2015 Developments Regarding Economic Sanctions and Export Controls
December 15, 2015
Speakers: Alexandra Baj, Jack R. Hayes, Meredith Rathbone, Edward J. Krauland
CFIUS Publishes Final Rules Implementing FIRRMA: What Changed and What it Means for Industry
February 13, 2020
By: Brian Egan, Stewart A. Baker, Evan T. Abrams

CFIUS Proposes Dramatic Expansion of US Foreign Investment Review, Seeks Public Input
October 2, 2019
By: Brian Egan, Stewart A. Baker, Scott A. Sinder, Evan T. Abrams, Martin Willner

Changes Afoot for CFIUS and US Export Controls as the Dust Settles on FIRRMA
August 16, 2018
By: Brian Egan, Evan T. Abrams, Zhu (Judy) Wang

CFIUS Reform: What’s Next?
June 28, 2018
By: Stewart A. Baker, Brian Egan, Zhu (Judy) Wang, Evan T. Abrams

CFIUS Reform: A Primer on the Key Changes Under Consideration
January 31, 2018
By: Stewart A. Baker, Brian Egan, Alan Cohn

Generation Shift: Recent Developments in US-China Business Relations and the Path Ahead Under President-elect Trump
January 19, 2017
By: Susan Munro

CFIUS Past and Present: 2014 Report Coincides with High-Profile 2016 Chinese Acquisitions
March 2, 2016
By: Stewart A. Baker, Edward J. Krauland, Timothy M. Walsh

DoD’s New Defense Industrial Base Cybersecurity Rule Aligns with the August DFARS Cyber Reporting Rule
October 8, 2015
By: Meredith Rathbone, Edward J. Krauland, Guy Soussan
INTERNATIONAL LAW ADVISORY
DoD Issues Interim Offset Costs Rule
June 4, 2015
By: Paul R. Hurst, Fred W. Geldon, Edward J. Krauland, Meredith Rathbone, Jack R. Hayes, Alexandra Baj

INTERNATIONAL LAW ADVISORY
CFIUS 2013 Annual Report: Sustained Increase in Investigations
March 12, 2015
By: Stewart A. Baker, Edward J. Krauland, Timothy M. Walsh

Explore Related

Primary Contacts
Stewart A. Baker
Brian Egan
Alan Cohn

Practices
National Security/CFIUS
Privacy & Cybersecurity
Economic Sanctions
Export Controls
FCPA/Anti-Corruption
Government Contracts