akerman

Practices

Economic Sanctions and Export Controls

Ranked by *Chambers Global*, *Chambers USA*, and *Chambers Latin America* for our international work, including trade- and embargo-related legal counsel, Akerman's Export Controls and Economic Sanctions team provides clients with context, strategies, and solutions to navigate the minefield of administrative, public policy, and litigation concerns across the globe, including North America, Europe, Asia, South America, and the Caribbean.

Global companies turn to Akerman for help with transactions subject to the International Traffic in Arms Regulations (ITAR), Export Administration Regulations (EAR), and Office of Foreign Assets Control (OFAC) regulations. With evolving national security threats, foreign policy priorities, and today's enhanced enforcement environment, the need to comply with these complex regulatory requirements presents a significant challenge, even for routine matters.

Akerman proactively guides clients to mitigate risk. In instances of potential violations, we help clients investigate potential breaches, advise on voluntary self-disclosures, and deal with government regulators and other enforcement authorities. Our team brings a depth and breadth of targeted experience, along with an extensive track record of working with officials at OFAC, the Department of Commerce Bureau of Industry and Security (BIS), Department of State Directorate of Defense Trade Controls (DDTC), and the New York Department of Financial Services (NYDFS) and other relevant state agencies. We also assist clients to comply with

Connect With Us



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Our Team

Related Work

Government Strategies
International
International Trade and Customs
Litigation
White Collar Crime and Government Investigations

Latest News and Insights

New Year, New Tariffs: Threats, Risks, and Opportunities for Companies in the

Committee on Foreign Investment in the United States (CFIUS) submission requirements and reviews of acquisitions by foreign persons that involve U.S. businesses with export controlled technologies.

Our comprehensive and proactive approach draws from decades of combined experience handling bet-the-company issues. We deliver a tailored approach to best serve companies operating in the hospitality, travel, financial services, logistics, semiconductor, software and technology, energy, aerospace, defense, space, health and life sciences, media, steel and aluminum, agriculture, and other sectors to provide new and innovative approaches that minimize risk.

What We Do

- Advise on the scope and applicability of various export controls and sanctions laws
- Assist clients to prepare and obtain licenses and other agency authorizations
- Create, implement, monitor, and test international trade compliance programs
- Audit trade compliance programs under established government and industry standards
- Develop customized international trade compliance training programs
- Conduct risk-based due diligence of exports, acquisitions, and other transactions
- Conduct internal investigations of suspected export controls and sanctions violations
- Prepare and submit voluntary disclosures of suspected violations

Select Experience

- Advised U.S. cybersecurity companies on exports of software and services to foreign companies and foreign government intelligence agencies.

International Supply Chain

Treasury Proposes Expansion of CFIUS Real Estate Jurisdiction

Section 301 Tariffs Update

Section 301 Update: Biden Administration to Increase Section 301 Tariffs on Chinese Steel and Aluminum, EVs, and Solar Cells

The Art of Coming Clean: Agencies Provide Guidance on Voluntary Self-Disclosures of Export Controls and Sanctions Violations

Brian Bianco Provides a Deep Dive into the Intersections of Export Controls and Intellectual Property

A Look Inside CFIUS Enforcement and Penalty Guidelines

Carrots and Sticks: DOJ Announces Policy Shift on Corporate Crime

Akerman Partner Pedro Freyre Interviewed on CNN Español Discussing the Western Sanctions That Have Been Imposed on Russia

- Assisted clients from a variety of sectors in determining the export controls jurisdiction and classification of U.S.-origin commodities, software, technical information, and services subject to export.
- Assisted U.S. and international clients to determine U.S. export controls jurisdiction over foreign manufactured electronics, industrial equipment, and other products that incorporate U.S.-origin hardware, software, and technology and that are direct products of U.S.-origin technology or software.
- Advised corporate clients on international trade controls due diligence, declaration, and notice requirements for foreign acquisitions of U.S. companies in aerospace, defense, software, and other sectors.
- Advised international arms brokers on obtaining authorizations to facilitate sales of unmanned aerial vehicles, armored vehicles, missiles, and other munitions and related services in support of Direct Commercial Sales to foreign ministries of defense.
- Assisted one of South Florida's largest providers of package and freight delivery services to Cuba with its efforts to comply with OFAC and BIS regulations authorizing the shipment of gift parcels and other items to Cuba. Akerman has also assisted Apacargo with its efforts to establish efficient and sustainable banking and financial services solutions in connection with its Cuba-related operations.
- Represented Airbnb Inc., a short-term lodging rental website, with its historic and successful 2015 entry into the Cuban market. Our team continues to advise Airbnb with respect to U.S. and Cuba law as well as with public and government relations implications.

Escalation on Venezuela Sanctions Program



- Represented a state-owned foreign bank in a sanctions and BSA/AML investigation by the DOJ and OFAC.
- Represented an international tobacco company in connection with an investigation by the DOJ National Security Division and OFAC for alleged violations of U.S. economic sanctions against North Korea.
- Conducted an internal investigation of a European payment services company related to possible violations of U.S. economic sanctions against Iran.
- Represented a foreign corporation in an investigation by the DOJ National Security Division for alleged violations of North Korean Sanctions Regulations.
- Represented a foreign individual in having their name removed from the prohibited persons list administered by OFAC.
- Represented foreign entities in applications for special licenses before OFAC.
- Represented Sandals Resorts regarding an international arbitration dispute pending in Havana, Cuba, regarding embargo restrictions.
- Represented Cuba's first privately owned Cuban apparel and fashion accessories design and boutique manufacturing company on compliance with U.S. legal regulations, along with the structuring of a first-of-its-kind loan agreement with U.S. lenders to support company's planned expansion in Cuba.
- Represented the second-largest U.S. provider of remittance forwarding services in connection with its Cuba remittances business to design and implement a new remittance-related payments structure to ensure ongoing compliance with federal regulations.
- Represented a UK-based business intelligence company that unwittingly entered into a series of

financial transactions with Cuba and Iran without realizing it was subject to U.S. regulation.

- Represented a global travel company in the launch of Cuba-related travel products across its many online platforms.
- Represented the world's largest search engine on matters concerning OFAC Cuban Assets Control Regulations (CACR) and EAR requirements in connection with the company's Cuba-related commercial and consumer services.
- Represented an international business-to-business media group with interests in exhibitions, conferences, education, publishing, and online media, including matters pertaining to sanctions programs by OFAC on the client's line of business.
- Represented a telecommunications company to establish a new subsea fiber optic telecommunications cable connection to Cuba.
- Represented one of the world's largest cruise ships in a lawsuit brought in 2019 by Havana Docks Corporation under Title III of Helms Burton in the U.S. District Court for the Southern District of Florida, advising on Cuba-related issues and litigation strategy.
- Represented a shipping company and obtained a dismissal for a lawsuit brought under Title III of Helms Burton in the U.S. District Court for the Southern District of Florida.
- Represented an American global courier delivery services company in establishing direct parcel and cargo services between the United States and Cuba and providing guidance on applicable U.S. regulations.
- Represented a software company with significant export controls and sanctions guidance, including conducting global training on U.S. sanctions and export controls and drafting and implementing

international trade compliance policies and procedures.

- Advised several companies on Russian sanctions, including licensing and export of medical devices, software, equipment, and services.
- Represented several private individuals in the private Venezuelan petroleum industry whose funds have been blocked by OFAC.
- Represented the U.S. subsidiary of a private Venezuelan company in obtaining a specific license from OFAC authorizing it to receive payment for services rendered to PDVSA.
- Represented a global financial institution in a sanctions investigation conducted by the U.S. Attorney for the Southern District of New York, the Asset Forfeiture and Money Laundering Section of the Justice Department, OFAC, Federal Reserve Bank of New York, and the New York Department of Financial Services.
- Represented a publicly owned Turkish Bank in its defense of a prosecution for alleged sanction violations in the Southern District of New York.
- Provide a technology company with significant export controls and sanctions guidance, including conducting global training on U.S. sanctions (and Russian sanctions) and export controls and drafting and implementing international trade compliance policies and procedures.