

Export Controls, Economic Sanctions and ITAR

Recent headline-making cases involving U.S. export laws reconfirm today's increasingly aggressive enforcement climate. The Ashcroft Law Firm has substantial experience in a variety of domestic and international trade-related practice areas including, but not limited to, export controls, economic sanctions and International Traffic in Arms Regulation (ITAR) compliance. Ashcroft attorneys have a history of representing clients before federal agencies involved in control of exports, including the Departments of State, Defense, Commerce, Treasury, Energy and Justice, as well as numerous independent agencies and the various agencies of the intelligence community.

Export Controls

In our post-9/11 world, government scrutiny of transactions involving controlled products, software, technology and services is at an all-time high. The Ashcroft Law Firm advises companies—both foreign and domestic, public and private—in navigating the complex and ever-changing patchwork of export control laws governing the trade, possession, and export of controlled assets. Export controls are far-reaching and go beyond what one might intuitively expect. For instance, companies involved in transfers of software or technology need not even operate or trade outside the United States to be affected. We comprehensively guide clients in observing these laws as they pertain to shipping, exports and other business transactions and design compliance programs to ensure continued government compliance. In the event of suspected non-compliance, The Ashcroft Law Firm is highly experienced in conducting internal compliance audit and defending in criminal or civil actions.

Economic Sanctions

The growing complexity and seriousness of penalties has increased the need for multinational companies to assess whether their entities are taking measures to avoid prohibited transactions, and thereby economic sanctions, as administered by the Office of Foreign Assets Control (OFAC). Over the past decade, maximum civil penalties have dramatically increased to the greater of \$250,000 or twice the amount of the violating transaction. The Ashcroft Law Firm has broad experience in both assisting multinational companies with avoiding economic sanctions and maneuvering beyond already-levied sanctions.

International Traffic in Arms Regulations (ITAR)

In a climate of heightened security concerns, export compliance remains a significant consideration for the U.S. government and the entities it contracts with. Companies providing contract services to defense and military clients must take great care to ensure their employees and business practices are safeguarding contract-related information. Generally, ITAR prohibits access to controlled information by non-US citizens or permanent residents and may require certain export control licenses for a contracting company's foreign national employees. The Ashcroft Law Firm is experienced in devising guidelines and controls for preventing unauthorized access under this regulatory regime and in conducting self-audits and tackling issues that arise due to a lack of vigilance in this compliance area.