



## National Security



The practice combines our government contracts, international trade, technology and telecom proficiencies, unparalleled relationships in DC, and insights to provide a unique level of service, strategy, and outcomes to national security matters.

**Our preeminent team is unmatched in representing clients in anticipating and responding to national security business threats and administrative proceedings. We have a deep bench of unique and focused capabilities, strong relationships at numerous government agencies, and extensive experience serving a wide array of clients in every industry that is impacted by national security challenges and liabilities.**



Our unrivaled combination of subject-matter expertise, background in strategic analysis, and strong reputation across federal agencies, make us the acknowledged leader in counseling clients in this unique, high-stakes area of law and diverse framework of regulations.

### **What we do.**

The issues that make national security policies, regulations, and law so complicated and unusual play to our strengths. Our deep subject-matter knowledge is absolutely vital in mitigating our clients' risks because errors or omissions, even seemingly minor ones, can have disastrous long-term effects on a company's bottom line. We are one of the most experienced and knowledgeable national security teams in the country. Many of our attorneys have lengthy and distinguished track records in government service and have consulted on national security issues for key government agencies. Nobody knows this area of law better than our team, and in many instances our team helped

### **Capabilities**



- Committee on Foreign Investment in the United States (CFIUS)
- Export Controls and Economic Sanctions
- FCPA and Anti-Corruption
- Foreign Agents Registration Act (FARA)
- Foreign Ownership, Control or Influence (FOCI)
- Supply Chain and Transactional Support
- Team Telecom

develop the legal framework and write the regulations that impact national security concerns.

Many national security matters are also unique because there is very limited black-letter law, but Congress and federal agencies have always interpreted national security concerns very broadly. Because we are at the center of most national security issues, we testify in front of numerous congressional committees and counsel U.S. and foreign companies in matters before the U.S. Department of Defense (DOD); the U.S. Department of Homeland Security (DHS); the U.S. Intelligence Community; the Committee on Foreign Investment in the United States (CFIUS); Team Telecom; and the Defense Counterintelligence and Security Agency (DCSA); as well as providing assistance with CFIUS and DCSA mitigation agreements and network security agreements (NSAs). Further, our practice has more than two decades of experience handling matters related to export controls, including the International Traffic in Arms Regulations (ITAR) and economic sanctions. Our professionals also partner with the firm's Election Law & Government Ethics practice to provide full-service representation in Foreign Agents Registration Act (FARA) matters.

In addition, any acquisitions by non-U.S. buyers of a company holding a facility security clearance (FCL) are subject to DCSA approval. Companies subject to Foreign Ownership, Control or Influence (FOCI) cannot receive or retain an FCL unless FOCI has been effectively mitigated through an agreement or other mechanism approved by DCSA. We have represented a wide range of companies with transactions subject to DCSA jurisdiction, from the due diligence phase to implementation to FOCI mitigation measures.

Our team also has unsurpassed experience obtaining license transfers and authorizations from the Federal Communications Commission (FCC) when foreign ownership is present and national security review is required. In recent years, we have guided startups, global telecommunications carriers, innovative technology companies, investors, and traditional media companies through the foreign investment review processes conducted by Team Telecom – the interagency group primarily comprised of the U.S. Department of Justice (DOJ), DHS, CFIUS, and DCSA.

### **Why we are different.**

Our practice is unique in that we are a “pure-play, DC-insider” firm. While we do not have multiple offices across the country or the globe, we have daily interactions with agencies and members of Congress that impact U.S. national security concerns. In the current political and business environment, our close working relationships with regulators, lawmakers, courts, and legislative staff are absolutely vital in navigating the complexities our clients face in achieving their business objectives.

Our team's distinguishing characteristics are:

- We have worked closely with numerous branches of the federal government since the firm's founding in 1983, and national security is no exception.
- We know the people, understand the processes, and have a degree of credibility that makes us very effective advocates, negotiators, and strategists.

- We are trusted, influential, and able to anticipate challenges and opportunities that other law firms can't see coming.

That's why for many clients, we are the go-to firm for national security issues. Whether the situation involves classified matters, work with the intelligence community, cybersecurity, export controls, or any other related legal or regulatory issue, we deliver solutions that are both strategic and straightforward. We combine knowledge, judgment, and relationships to arrive at answers to critical questions, and provide essential guidance in sensitive, complex, and sometimes bet-the-company situations.

## Key Contacts

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