



# National Security

## Key Contacts



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## Accolades

**"With its national coverage and depth of expertise, the firm's bet-the-company labor and employment litigation practice is very well known."**

*Legal 500 US*

## Overview

In our interconnected global economy, national security threats are increasingly impacting the private sector. The multifaceted laws and policies that the US Government and its trading partners have implemented to address such threats can create challenges for companies that operate across borders.

O'Melveny's National Security Group is uniquely suited to support our clients in meeting these challenges. Our team brings a sophisticated understanding of international business operations and decades of experience advising companies within this rapidly evolving legal framework. Our team features former senior government officials who have helped develop and implement the very rules and regulations companies must navigate—the kind of real-world experience in matters of national security that few firms credibly offer.

We assist clients at the intersection of national security and international business in a range of interconnected national security-related subject areas, including:

- **National Security Reviews by the Committee on Foreign Investment in the United States (CFIUS).** We offer strategic counseling on foreign investment matters, including representing parties in transactions under CFIUS review.
- **Economic Sanctions and Export Controls.** We help clients resolve enforcement issues and proactively counsel on compliance in these two inter-related areas. These laws further national security and foreign policy goals; corruption and human rights concerns are areas of increased focus for restrictions in this area.
- **Technology Supply Chain.** With heightened concern about data security and foreign technology, the US Government has created new technology review regimes focused on supply chain security. We assist companies plan for and comply with evolving technology review regimes to avoid disruption to their supply chains and operations.
- **Cyber and Electronic Surveillance.** With the rise of cyber incidents, the cybersecurity of the private sector has become a matter of national security. We help clients to both comply with evolving regulatory requirements designed to address these threats and manage the risk of ransomware attacks.
- **Anti-Money Laundering (“AML”) and Global Payments.** Our lawyers counsel US and non-US banks, broker-dealers, investment advisers, money services businesses, financial services firms, and fintech companies on regulatory issues and sensitive AML matters.
- **Anti-Corruption.** Our team counsels multinational companies across myriad industries on compliance with the Foreign Corrupt Practices Act, and similar statutes, and defends them in government investigations.
- **Customs Laws.** We provide compliance advice on issues relating to classification, country-of-origin and valuation, and assist clients to respond to subpoenas and submit prior disclosures of apparent violations of the customs laws.
- **Anti-Boycott.** We advise clients on compliance with and reporting under the rules administered by the US Departments of Commerce and Treasury.

We draw on our deep experience in these inter-related subject matter areas to support clients in a range of contexts:

- **Transactions Support.** We support our M&A, project development & real estate, corporate finance, restructuring and capital markets teams when national security issues surface in a particular transaction. We advise on regulatory requirements, diligence, appropriate contractual protections, and post-closing integration.

- **Strategic Counseling.** We counsel on achieving business goals within the context of government policies and laws that change in response to national security developments.
- **Compliance Counseling.** We advise on complying with national security-focused laws in relation to specific opportunities and challenges, as well as developing compliance programs and conducting compliance risk assessments.
- **National Security-Related Investigations.** We handle a variety of civil and criminal national security investigations (government, congressional, internal). Our most notable recent matters have been in areas related to technology and China.
- **Agency Actions, Rulemakings and Proceedings.** Where a government action has a potential adverse impact on our clients, we assist in managing a response to protect our client's interests. We also support our clients through regulatory proceedings such as foreign investment reviews conducted by CFIUS.

## Clients

### Related Industries

- Banking & Financial Services
- Energy, Natural Resources & Utilities
- Industrials & Manufacturing
- Technology

### Related Practices

- Congressional Investigations
- Data Security & Privacy
- Financial Services Regulation
- Foreign Corrupt Practices Act Compliance
- International Trade & Investment Regulation