

Skadden is one of the few large law firms with integrated CFIUS and corporate practices. We counsel clients worldwide — public and private companies, private equity funds, venture capital firms, and sovereign wealth and other government-related funds — on structuring and negotiating transactions to anticipate and address national security-related regulatory concerns in the earliest stages of transaction planning. The group has been repeatedly recognized by *Chambers USA* and *Chambers Global* for both International Trade: CFIUS Experts and Corporate M&A, with both guides highlighting the firm’s “work with a diverse collection of U.S. and international companies, aided by its phenomenal strength in M&A.”

Our attorneys have successfully represented clients in some of the largest and most complex transactions reviewed before CFIUS, the Defense Security and Counterintelligence Agency (DCSA) and Team Telecom. Our attorneys routinely help clients obtain required CFIUS approvals, and, where necessary, we negotiate mitigation agreements with CFIUS to address national security issues.

The group has deep CFIUS experience in numerous industry sectors, including technology and telecommunications, semiconductors and computers, energy, real estate, financial services, health care and pharma, manufacturing, natural resources, transportation, utilities and other critical infrastructure, consumer goods, robotics and autonomous systems, vehicle manufacturing, travel and leisure, chemicals, aerospace and defense, and government services.

Proactively Addressing CFIUS Issues

Based on our broad and inveterate experience, the firm is able to help clients understand CFIUS issues at the earliest stages of a transaction or even during strategic corporate development planning. Our experience across business sectors helps clients address potential national security concerns well before any engagement with CFIUS occurs.

CFIUS Representation and Ongoing Compliance

The firm vigorously represents clients in front of CFIUS in all stages of reviews, from submission of declarations and notices, to responding to inquiries from CFIUS in the context of a filing or in the “non-notified” process, to the negotiation of and ongoing compliance with CFIUS national security agreements. We seamlessly address other national security regulatory issues, from export controls and economic sanctions to government contracting considerations, that arise in the course of CFIUS matters.

U.S. Government Experience

Attorneys in our practice have formerly held senior national security positions within the U.S. government, within the CFIUS process and as members of the U.S. intelligence community. This deep experience provides unparalleled appreciation for the U.S. government’s national security concerns and how parties might address them with CFIUS. We have long-standing relationships with representatives across all constituent CFIUS departments and agencies, as well as other relevant elements of the executive and legislative branches.

Defense Department Mitigation of Foreign Ownership, Control and Influence (FOCI)

Skadden regularly represents foreign clients who are considering working with the U.S. government. We collaborate with the firm's corporate attorneys to establish U.S. entities and also address FOCI issues with the DCSA where necessary. We counsel clients on the various forms of FOCI mitigation that best fit their business and regulatory needs, and engage across the U.S. government to enable these efforts and maintain ongoing compliance. Our attorneys have served on FOCI boards, overseen mitigation agreements, and worked throughout the defense, intelligence and law enforcement communities.

Team Telecom

We represent clients before Team Telecom — an executive branch group comprising the U.S. Departments of Justice, Defense and

Homeland Security — with respect to the national security and law enforcement review of Federal Communications Commission (FCC) license applications where there is foreign ownership or control. We have successfully pursued parallel CFIUS and Team Telecom approvals for foreign investments in numerous cases.

Non-U.S. Foreign Direct Investment (FDI) Reviews

Beyond our CFIUS capabilities, we represent clients in every significant non-U.S. FDI national security and national interest review process, from Canada and the U.K.; to France, Germany, Italy, Spain and numerous other European Union jurisdictions; to Russia, Australia, Japan, Korea, China, India and other Asia Pacific jurisdictions. We provide a seamless and coordinated approach to CFIUS and FDI filings and advocacy, helping our clients identify and seek resolution of issues early to avoid delay and uncertainty in transactions.