

Skadden's National Security Group is well known among law firms for its size and sophistication. Our attorneys, many of whom served in national security and foreign policy positions in the U.S. government, have successfully represented clients in many of the most significant and complex transactions, compliance matters and government investigations implicating U.S. national security, foreign policy and international trade. We provide clients with a holistic approach to representations, with seamless coverage on the full range of national security regulatory matters, including those involving CFIUS and non-U.S. foreign direct investments (FDI); sanctions, AML and export controls; cybersecurity and data privacy; international trade; and government contracts. Our group also plays a significant role in Skadden's cross-cutting practices in government investigations, aerospace and defense and artificial intelligence. Skadden is recognized by *Chambers USA* as having a "strong national security practice housing respected practitioners who offer in-depth expertise on matters such as compliance, reviews and investigations."

CFIUS

Skadden is one of few large law firms with integrated CFIUS and corporate practices. We counsel clients — companies, private equity funds, venture capital firms, and sovereign wealth and other government-related funds — on structuring and negotiating transactions to anticipate and address regulatory concerns in the earliest stages of transaction planning. The group holds deep knowledge and experience in numerous industry sectors, including technology and telecommunications, energy, real estate, financial services, health care and pharma, manufacturing, natural resources, transportation, critical infrastructure, consumer goods, robotics and autonomous systems, vehicle manufacturing, travel and leisure, chemicals, aerospace and defense and government services. We also advise clients on the scope of forthcoming restrictions on inbound U.S. investment. Additionally, we provide counsel and representation to clients on matters before "Team Telecom," the executive branch group that advises the Federal Communications Commission (FCC) on national security implications related to FCC licenses. We have been repeatedly recognized by *Chambers USA* and *Chambers Global* for both International Trade: CFIUS Experts and Corporate M&A, with the guide highlighting the firm's "work with a diverse collection of U.S. and international companies, aided by its phenomenal strength in M&A."

Non-U.S. Foreign Direct Investment Reviews

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.

Economic Sanctions

Global financial institutions and multinationals across a broad range of industries and sectors — including investment funds, technology, energy, blockchain and digital assets, insurance, telecommunications, logistics and manufacturing — look to Skadden to advise them on sensitive and complex compliance and enforcement matters involving U.S., U.K. and European Union financial and economic sanctions laws and regulations. We partner with clients to develop or enhance their sanctions compliance programs and to conduct internal investigations. We regularly represent clients before every sanctions regulatory and enforcement agency in the United States

— including the Office of Foreign Assets Control (OFAC), the U.S. Department of State, the U.S. Department of Justice, the Board of Governors of the Federal Reserve System (the Federal Reserve), the Office of the Comptroller of the Currency (OCC) and the New York Department of Financial Services — and in key jurisdictions in Europe. We also have substantial experience with post-enforcement remediation matters and monitorships. As part of our transactional work for clients, we identify and manage “deal-stopping” sanctions and anti-money laundering (AML) regulatory issues at an early stage — or before entering into a transaction — and monitor these matters through the life of a transaction. We also represent corporate boards and senior employees in sanctions and AML compliance and enforcement matters, both civil and criminal.

Anti-Money Laundering

We advise global financial institutions, payment service providers, digital asset service providers and other multinational companies on all aspects of global AML compliance and enforcement matters, from AML program reviews and enhancements to internal investigations and defense of enforcement actions. Our matters involve complex questions related to the applicability of U.S. federal and state AML regulatory regimes to a broad range of clients and industries. We also have substantial experience helping our clients prepare for and respond to regulatory inquiries and examinations, and we interact on behalf of clients with officials at every major federal and state financial services regulator in the U.S., including the Financial Crimes Enforcement Network (FinCEN), the U.S. Department of Justice, the federal banking regulators, the Securities and Exchange Commission (SEC), the Commodities Futures Trading Commission (CFTC) and the Internal Revenue Service (IRS). Additionally, we represent clients in compliance and enforcement matters involving financial services regulators in the U.K. and many European jurisdictions.

Export Controls

Skadden has wide-ranging experience in matters involving U.S. export controls requirements under the International Trafficking in Arms Regulations, the Export Administration Regulations and the regulatory regimes administered by the Department of Energy and Nuclear Regulatory Commission. We provide clients with guidance and advice on increasingly complex export controls rules and requirements, including issues related to compliance policies and programs, screening, licensing, classification and scope and jurisdictional questions. We interact routinely with regulators from the Department of State’s Directorate of Defense Trade Controls (DDTC), the Department of Commerce’s Bureau of Industry and Security (BIS) and their counterparts in key jurisdictions in Europe.

Additionally, we regularly represent U.S. and international companies in civil and criminal export enforcement actions and inquiries.

Cybersecurity and Data Privacy

Skadden’s multidisciplinary Cybersecurity and Data Privacy Practice assists clients in navigating the rapidly evolving cybersecurity, privacy and technology landscapes. Our team serves as a global one-stop shop for our clients’ cybersecurity, incident response, data protection, privacy and related AI challenges. As seasoned “breach coaches,” we provide practical, technical and operational guidance during and after ransomware and other cyber events based on first-hand experience managing the full spectrum of cyber and data privacy threats and incidents. Skadden addresses the complex issues at the intersection of technology, cybersecurity, privacy, intelligence and law enforcement.

International Trade

Skadden represents clients worldwide on matters involving international trade in goods, software, technology and services, helping clients manage the risks and maximize the opportunities of an increasingly complex and challenging international trade landscape. We routinely advise clients on the full spectrum of conventional and “new” trade issues, including customs and tariff advice; supply chain planning and risk management; antidumping and countervailing duty (AD/CVD) and other trade remedy proceedings; the administration of forced labor import restrictions under the Uyghur Forced Labor Prevention Act (UFLPA) and other laws by U.S. Customs and Border Protection (CBP); trade-related and national security considerations in connection with awards under the CHIPS Act and tax credits available through the Inflation Reduction Act; China-related restrictions issued under the Department of Commerce’s Information and Communications Technology Supply Chain (ICTS) regulations; and other trade policy and regulatory matters. Our attorneys, who have substantial trade-related experience from within the U.S. government, interact routinely on behalf of clients with officials from the Office of the U.S. Trade Representative (USTR), the Commerce and Treasury Departments and CBP and other offices at the Department of Homeland Security.

Aerospace, Defense and Government Contracting

Skadden regularly advises clients on government contracts questions under the Federal Acquisition Regulations (FAR), the Defense Federal Acquisition Regulations Supplement (DFARS) and other rules and regulations in the context of transactions and other matters that involve the aerospace and defense industries and other government contractors. We also advise clients on the requirements for classified national security government contracting, from compliance with the Department of Defense’s National Industrial Security Program

Operating Manual (NISPOM), to agreements with the Defense Security and Counterintelligence Agency (DCSA) for mitigating Foreign Ownership, Control and Influence (FOCI). Our capabilities are backed by years of experience, both inside the federal government and in the private sector, navigating complex federal requirements in critical business sectors.

Government Investigations

Skadden counsels clients in the U.S. and abroad on congressional and executive branch investigations related to U.S. national security laws and regulations, including classified investigations and stored data access requests. Our government investigations experience extends to every area of the national security practice group and includes interactions with enforcement officials at every key regulatory agency and the U.S. Department of Justice. We also advise on lawful surveillance matters related to federal statutes including the Wiretap Act, Electronic Communications Privacy Act, Stored Communications Act, Foreign Intelligence Surveillance Act, Communications Assistance for Law Enforcement Act and pen/trap statutes. We assist clients — especially those at the intersection of technology and national security — with engaging in novel and complex enforcement issues with law and national security officials in the U.S. and around the globe.

Artificial Intelligence

Skadden's global artificial intelligence (AI) team offers years of experience with complex AI legal matters and an understanding of the key AI technology issues, business drivers and evolving global regulatory landscape to companies around the world navigating this broad, complex and cutting-edge area of technology. We advise clients in virtually every industry incorporating AI into their environments, including advertising, automotive, consumer, cybersecurity, entertainment, fintech, insurance, life sciences and health care, marketing, media, private equity, semiconductors, software and sports, among others. Our work in this space spans many practice areas, including intellectual property and technology, cybersecurity and data privacy, export controls, CFIUS and other M&A considerations, governance, labor and enforcement, and litigation.