

Nuclear Export Controls

The globalization of the nuclear energy industry has placed heightened importance on compliance with global export controls and technology transfer restrictions affecting both U.S. and foreign companies.

Nuclear export controls is a highly nuanced and technically complex area of law, involving up to four different regulatory regimes governed by multiple statutes.

We work with nuclear operators, leading global suppliers, engineering firms, and technology innovators on all aspects of export controls, including: technology classifications, obtaining licenses or authorizations, reporting, developing user-friendly compliance policies, and structuring innovative transactions to address export control challenges. Our team has worked on dozens of international deals and investments involving a spectrum of export control considerations.

We complement our legal experience in this field with a unique understanding of the practical challenges most companies face in trying to comply with export controls on a day-to-day basis. We deliver solutions that get to "yes," lower compliance burdens, and are implementable by companies large and small.

Representative experience

Serving as "day-to-day" nuclear export control counsel to a number of nuclear technology design companies and nuclear suppliers.

Contacts

Daniel F. Stenger,
Washington, D.C.

Amy C. Roma,
Washington, D.C.

Mary Anne Sullivan,
Washington, D.C.

Ajay Kuntamukkala,
Washington, D.C.

Practices

Nuclear Energy and
Materials

International Trade and
Investment

Routinely advising nuclear suppliers and consultants on DOE, NRC, and Department of Commerce nuclear export control laws, including, obtaining licenses and authorizations, and meeting reporting obligations.

Frequently engaging in joint regulatory-technical analyses to classify new technologies within the U.S. export control framework.

Routinely preparing Part 810 specific authorization requests and reports of engagement in Part 810-covered activities.

Drafted nuclear export control frameworks and compliance documents for a number of nuclear engineering, consulting, and supply companies.

Counseled U.S. component manufacturers on NRC export controls related to sales of nuclear power components to China.

Working closely with the NRC, advised a client on how to move forward with development and global distribution of new medicines that use controlled nuclear substances.

Assisted a U.S. nuclear supplier with an analysis of foreign markets for export controls and of Foreign Ownership, Control and Influence (FOCI) issues related to foreign investment in the company.

Assisted nuclear vendors with export control issues with new nuclear builds in the U.S., including day-to-day compliance, classification analysis of technology, and general authorization notifications.

Assisted commercial nuclear companies with obtaining specific authorizations from DOE to transfer technology and provide services to partners in China, India, Europe, and the UAE.

Routinely advise U.S. clients, including reactor operators, suppliers, and vendors, on Part 810 compliance for foreign nationals in the United States.

Developed export compliance screening and related immigration/deemed export procedures.

Assisted electric utility with assessing deemed export issues and submitting a voluntary self-disclosure to DOE and a request for a specific authorization under the Part 810 regulations.

Assisted electric utility with export control issues related to outsourcing its information technology functions to an Indian company.

Presented export control training programs for U.S. and multinational nuclear suppliers and nuclear utility companies.