



US Law and Policy

"...one of the most high-powered and high-profile lobbying shops in the nation's capital"—*The National Law Journal*

Today's legal issues are contested not only in conventional legal arenas, but also before international tribunals, federal agencies and departments, on Capitol Hill and in the media. We provide our clients with the strategies they need to manage crises and create opportunities.

Successful advocacy before legislative and executive branch decision makers as well as independent federal agencies demands vast experience and insight. The Federal Law and Policy group has the focus, the experience and the drive to achieve our clients' goals. We use a cross-disciplinary approach in our engagements because the path to success frequently is not linear, but one that requires carefully coordinated efforts in different forums. And, as clients increasingly recognize, legislative and administrative advocacy is a skill that is quite distinct from defending an enforcement action or seeking to overturn a recently promulgated rule or regulation.

Many of the lawyers and other professionals in this group have held senior elected, appointed and staff positions in all branches of the federal government and in numerous state governments. Others have important experience in the corporate world.

- Positioning issues for successful advocacy
- Developing congressional and governmental champions
- Managing congressional investigations
- Writing and preparing witnesses to deliver congressional testimony
- Drafting proposed legislation
- Monitor legislation
- Representing clients before regulatory agencies
- Ensuring compliance with campaign finance, ethics and lobbying laws
- Organizing and managing coalitions
- Building grassroots support
- Managing political and public relations crises
- Managing internal corporate communications
- Drafting op-eds, press releases and speeches
- Developing state political outreach
- Engaging foreign policymakers, governments and embassies
- Advising on corporate governance and best practices

KEY CONTACTS

John A. Merrigan

Partner

Washington, DC

T: +1 202 799 4310

john.merrigan@dlapiper.com

Steven R. Phillips

Partner

Washington, DC

T: +1 202 799 4313

steven.phillips@dlapiper.com

- International Trade, Regulatory and Government Affairs
- Corporate
- Finance
- Intellectual Property and Technology
- Litigation, Arbitration and Investigations
- Real Estate
- Tax

- Financial Services
- Energy and Natural Resources

CAPABILITES

Congressional Investigations

Congressional investigations are unlike any other legal proceeding. Committees act as both judge and prosecutor. There are no evidentiary rules, and there is no right to call witnesses or to cross examine witnesses making charges against you. Many committees do not recognize the attorney client privilege and proprietary documents are not protected from public disclosure. And in many instances, these investigations play out on the front page of newspapers and on the network news. DLA Piper has very seasoned attorneys who have successfully represented scores of clients in navigating this very unsettling world of congressional investigations.

Cybersecurity

DLA Piper has been working on behalf of clients with Members of Congress and staff on the committees with jurisdiction over cybersecurity, including House and Senate Homeland Security, Commerce Committees, as well as the Intelligence Committee on the House side, in order to not only help shape legislation, but to also provide advice regarding Congressional oversight of DHS, NIST, and the agencies with regulatory authority over industry sectors.

Defense

Our team has a long record of achievement representing defense industry clients in accomplishing their business, legal, and political goals. We are the only firm in the world that offers both a top-tier US defense practice, as well as the ability to draw upon experienced defense, procurement, and infrastructure lawyers throughout the world. We provide innovative business counsel and representation to our defense clients – from contract counseling to corporate strategic advice, to securing objectives through the budget/authorization /appropriation process, to international sales and transactions, to representing companies in litigation arising in conflict and post-conflict environments.

E-Commerce and Privacy

We work with clients to solve business problems wherever their needs may lead. We assist clients in obtaining solutions to issues posed by US legislation, compliance demands, proposed federal and state laws, international compacts, free trade agreements and the World Intellectual Property Organization treaties. Our group counseling companies on the issues they encounter while doing business online, and we counsel copyright owners, ISPs and equipment manufacturers regarding proposed privacy legislation, infringement liability and copy protection technology strategies, as well as a broad range of other liability issues. We have extensive experience in rulemaking and enforcement proceedings before the Federal Trade Commission and have participated in significant Federal Communications Commission proceedings on regulation of the Internet.

Energy

Our lawyers help clients develop solutions and strategies arising from the ongoing deregulation and restructuring in the energy industry. We have extensive experience in energy and public utility law, providing assistance to industrial and commercial consumers, electric service providers and power producers. The firm has also represented all segments of the oil and gas industry in regulatory matters, as well as in the development and restructuring of federal laws.

Environmental

DLA Piper environmental attorneys anticipate, track, and find solutions to emerging environmental issues that concern its local, national, and international clients. The group has extensive experience with every major environmental policy and proposed legislative issue, spanning air, water, solid and hazardous waste, wetlands, chemical substances, right-to-know, and other areas. The foundation of our group is the in-depth knowledge of these federal regulatory programs and policies, and their state counterparts.

Financial Services

The financial services industry has seen dramatic changes in recent years in federal and state legislatures, regulatory agencies and the

marketplace. The group was actively involved in the development and passage of the Dodd-Frank law as well as subsequent legislative action. Our attorneys and consultants work extensively on the leading issues facing many of the nation's largest diversified financial institutions, trade associations, industry coalitions and individual entities before Congress, the White House, Treasury, SEC and other federal regulatory agencies.

Foreign Government Representation

The group has represented numerous foreign governments, international business organizations, and non-governmental organizations before Congress and the Executive Branch for many years. Members of the group have led the coordinated lobbying, public affairs, and grassroots campaign to achieve NATO and have developed and directed non-governmental business coalitions supporting free trade agreements.

International Policy Development and Business Strategy

Our team has decades of firsthand experience working with the national security committees in Congress, the Departments of State and Defense, the National Security Council and the nation's intelligence agencies. We also have the experience needed to communicate effectively with foreign governments and their diplomatic missions. Our clients are able to call on that experience and knowledge as they work to align their business strategies with evolving US national security policy. We help clients develop market-entry strategies; finance and insure their overseas trade and investments; identify strategic partners and overseas contacts; anticipate, define, and manage political, economic, and financial risk; forecast and defend against adverse action by foreign host governments and regulatory agencies; and establish ties with host government policy makers and regulators.

Political Law

Few areas are as heavily regulated as lobbying, campaign finance and government ethics. At the federal level, new laws, amended congressional rules and policies have resulted in a patchwork of confusing, even conflicting requirements. State and local laws and rules further complicate the situation clients face. While lobbying and political activity are protected rights and often important components in achieving public policy objectives, new rules and closer scrutiny pose serious legal and reputational risks for organizations and individuals. We offer experienced, practical advice and develop appropriate, effective political law compliance programs designed to ensure that companies conduct their lobbying and campaign activities in full compliance with all relevant laws, regulations and best practices.

Tax

We provide clients the experience and skills to integrate business strategies with evolving public policy. We regularly assist clients before Congress and the IRS in obtaining tax legislation and favorable tax rulings. We also have a strong record of representing corporate, educational, and foreign and domestic individual clients in tax related matters.

EXPERIENCE

- Represented a Chinese telecom company on sanctions issues and Congressional investigation into whether the company's products could be used to aid espionage and cyber-spying. Our attorneys successfully advocated on behalf of the client to protect their brand in the US and continue to do so.
- Represent a US joint venture with Japan to develop a high speed rail system in the northeast corridor of the US on environmental impact issues relating to rail corridor development as well as relevant appropriations to fund various rail programs and the American Jobs Act which contain rail development authorizations for true high speed rail as well as creating a national infrastructure bank to support rail development projects.
- Represent a Middle Eastern cable and satellite news television channel in the purchase and launch of a US TV channel. Providing a continued government advocacy campaign to minimize adverse reaction to the acquisition by outreach to the Administration, Congress and third-party groups (think tanks, community leaders, etc.) and regulatory approval by the FCC and the Committee on Foreign Investment in the US (CFIUS).
- Worked with a large Defense company to resurrect a billion dollar defense weapons system, which had been initially cancelled by the Defense Department. The effort involved drafting legislative language and creating a significant strategy for advocating before all Congressional Defense committees.

- Advising the nation's first proposed offshore wind farm in a multifaceted regulatory and legislative licensing and approval process, including the Department of the Interior, the Department of Energy, the FAA, the Coast Guard, the EPA, the Corps of Engineers and other agencies, while defeating all legislative challenges initiated by project opponents.
- Represented an early education group and helped develop multifaceted congressional strategy to secure an additional \$1.1 billion in funding for early education programs.
- Represent the National Coalition on E-Commerce and Privacy, which has been at the forefront of every major public policy and regulatory development involving the collection, security and use of personally identifiable information.
- Advise clients on lobbying and ethics regulation matters including: training for company attorneys on political law compliance; political activity and PAC strategies; and advise on state lobbying and pay-to-play compliance matters.
- Served as counsel to a small innovative, pharmaceutical company in developing legal, legislative and media strategies to preserve the full patent life of the companies pioneering lifesaving drug. We worked closely with senior Administration policymakers to achieve a positive outcome for our client.
- Represent Analytical Graphics Inc. (AGI) to develop and execute a high level Congressional outreach campaign to advance the sale of AGI's Space Situation Awareness (SSA) technology to the US Air Force. Our representation is focused on educating Congress as well as key stakeholders at the Department of Defense and US Air Force on the benefits of using AGI's commercial technology solutions.
- Represent a Middle Eastern banking industry association before the US government to develop coordinated strategies for addressing international money laundering, terrorism financing, and sanctions compliance efforts.
- Advise an international paint manufacturing company on general Congressional outreach and legislative monitoring of the Chemical Safety Improvement Act (CSIA) of 2013.

INSIGHTS

Publications

Treasury releases 2021 Sanctions Review: Its key recommendations and their implications for the private sector

28 October 2021

The Report puts into perspective recent Biden Administration sanctions while helping to forecast what will come.

Israel Group News October 2021

25 October 2021

ISRAEL GROUP NEWS

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Blockchain and Digital Assets News and Trends

18 October 2021

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Non-fungible tokens: What are the legal risks?

Five issues to watch for at COP26 in Glasgow

12 October 2021

Hopes had already been high for COP26 even before the pandemic paused it. The pent-up potential has only heightened those expectations.

House tax proposal: significant statutory changes include raising corporate rate, overhauling international taxation system

21 September 2021

While the Senate is likely to cut back on some of the proposals, tax increases for business and individuals are expected to be enacted by Thanksgiving.

Blockchain and Digital Assets News and Trends

17 September 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules.

Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules

17 September 2021

The move comes as part of the Ways and Means Committee's attempt to raise revenue to finance infrastructure spending.

Blockchain and Digital Assets News and Trends

23 August 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

New information reporting requirements for cryptocurrency transactions; CFPB involvement in cryptocurrency oversight; NCUA seeks comments on use of DLT and DeFi by credit unions.

Israel Group News August 2021

16 August 2021

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Blockchain and Digital Assets News and Trends

19 July 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

IRS says tax-deferred like-kind exchange is not available for cryptocurrency trades; copyright issues plague NFTs; crypto venture investments continue to accelerate.

When will Washington regulate artificial intelligence?

June 2021

Seeking to ensure a leading global role for the US in AI development and implementation is a prime motivator for American policymakers.

Biden Administration tax compliance plan targets cryptocurrency assets

21 June 2021

The plan would give the IRS greater authority and resources to collect information on Americans' financial assets and transactions, including cryptocurrency transactions.

Blockchain and Digital Assets News and Trends

21 June 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Biden tax plan spotlights cryptocurrency transactions; FTC announces spike in cryptocurrency investment scams; El Salvador is first country to adopt bitcoin as legal tender.

Biden's FY 2022 budget and Treasury Green Book – additional details on international tax proposals

2 June 2021

Fleshing out revenue proposals in the White House's American Jobs Plan and American Families Plan.

Blockchain and Digital Assets News and Trends

20 May 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

SEC issues Staff Statement on investments in the bitcoin futures market, plus latest legal developments governing the use and acceptance of blockchain technology, smart contracts and digital assets.

The Russia sanctions and their impacts on commodities companies: Action steps for companies engaged in transactions with Russian gas and energy companies

11 May 2021

Implications of key provisions in President Biden's Executive Order.

Israel Group News May 2021

1 May 2021

ISRAEL GROUP NEWS

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US government announces sweeping sanctions against Russia

16 April 2021

The newly imposed sanctions represent a significant escalation and addition to the sanctions architecture put in place by the Obama and Trump Administrations.

Representing individuals in interviews – the US perspective

30 March 2021

Determining whether to consent to an interview, and any interview itself, can be pivotal.

CFTC's new Climate Risk Unit: Another tool in the Biden Administration's "whole of government" campaign against climate change

23 March 2021

With this move, the US joins governments across the globe in recognizing the vital role derivatives markets will play in developing new solutions to address climate and sustainability challenges.

United States imposes significant new export controls and sanctions on Russia and China

23 March 2021

Reflecting a further hardening of US foreign policy and national security policy positions with those two countries.

Reform to the Electric Industry Law: a new risk for energy projects in Mexico

10 March 2021

Foreign investors involved in energy projects in Mexico may wish to consider their rights and potential remedies under applicable investment treaties.

Climate change disclosures – under SEC scrutiny

25 February 2021

This new directive does not come as a surprise.

China's Blocking Rules: New trade-compliance dilemmas for third-country companies

25 January 2021

The Blocking Rules respond to the increased use of "secondary" economic sanctions and export controls by the US.

Israel Group News January 2021

19 January 2021

ISRAEL GROUP NEWS

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Who's responsible for content posted on the Internet? Section 230, explained

22 December 2020

What the law does, what people are saying it should do, and what might happen next.

US DOT issues groundbreaking proposals for regulation of automated driving systems, seeks input

11 December 2020

The rulemaking initiates an important new chapter in autonomous vehicle development and commercialization in the US.

SEC 2021 and beyond: What to expect

7 December 2020

Some likely areas of SEC focus, from both the regulatory and enforcement perspectives, in 2021 and beyond.

SEC invites feedback on application of Custody Rule to digital assets

23 November 2020

Specifically, Staff is asking whether non-depository firms such as state-chartered trust companies can act as qualified custodians for digital assets.

New York Department of Financial Services calls on financial institutions to consider climate change risk

9 November 2020

Investors increasingly view climate as an area of business risk, and regulators are viewing it as a supervisory risk as well.

Replacing NAFTA: What the USMCA means for the future of North American trade and investment – a Q&A

26 October 2020

Contributors from the US, Mexico and Canada discuss several key considerations.

USMCA investor-state dispute settlement provisions: Key differences for Mexico

26 October 2020

For ISDS claims, only after the local litigation requirement is fulfilled or 30 months have elapsed may certain substantive claims be brought against a state.

Rules of Origin - what you need to know

9 October 2020

[DLA PIPER TRADE TRUTHS](#)

With less than two months before the end of the Brexit Transition Period, importers and exporters of goods between the UK and both the EU, and the rest of the world, are preparing for the impact of significant changes to UK and EU trading arrangements upon their businesses and operations. Recent articles in the DLA Piper Trade Truths series have examined the realities of trading on so-called 'World Trade Organisation (WTO) terms', should there be no deal at the end of the Transition Period, including the impact on customs procedures and tariffs on goods, together with the UK's post-Brexit trading landscape.

Israel Group News October 2020

7 October 2020

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Beyond the EU-UK Negotiations: Planning for trade with the rest of the world after Brexit

30 September 2020

[DLA PIPER TRADE TRUTHS](#)

Whilst clients are rightly focused on the current status of negotiations between the UK and EU, some 12 weeks before the end of the Transition Period, it is easy to lose sight of the impact of Brexit on the UK's trading relationship with the rest of the world and the commercial consequences of this for businesses.

New CFIUS regulations change mandatory filing requirements and increase the importance of US export controls

30 September 2020

The new rule modifies the criteria that trigger a mandatory filing with CFIUS, potentially subjecting more transactions to mandatory CFIUS review.

Supreme Court Corner

30 September 2020

A quick look at two cases - *USPTO v. Booking.com* and *American Axle & Manufacturing v. Neapco Holdings*.

New national security regulations subject more insurance sector transactions to CFIUS review

20 August 2020

Transactions in the insurance sector are squarely in the CFIUS crosshairs.

US moves forward on enhanced securities regulations focusing on Chinese companies

17 August 2020

Latest developments in US efforts to address the financial risks posed by emerging market companies.

EU's highest court invalidates the EU-US Privacy Shield; European Standard Contractual Clauses remain valid, but subject to conditions

16 July 2020

The CJEU declared invalid the EU-US Privacy Shield framework for the transfer of personal data from the EU to the US.

Israel Group News July 2020

8 July 2020

ISRAEL GROUP NEWS

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The legal challenges facing the vaping industry in the EU/UK and the US: An overview and a look ahead

7 July 2020

Notes as the industry matures.

Clinical trials during the COVID-19 pandemic: A global guide

2 July 2020

The consequences of the COVID-19 pandemic continue to develop dynamically. Some countries are beginning to ease lockdown measures, whilst others retain or even impose new restrictions. The situation continues to impact the ability to conduct clinical trials on a global scale. Pharmaceutical companies need to address even more challenges to ensure the continuity of trials on human medicines.

Are you ready for the USMCA? Customs-related takeaways on key changes from NAFTA

30 June 2020

Claiming USMCA duty advantages – practical considerations.

Supreme Court Corner

30 June 2020

A quick look at three cases: *Thryv, Inc.*; *Lucky Brands*; and *Romag Fasteners*.

New Section 301 investigations into digital services taxes involving multiple countries

29 June 2020

The US Trade Representative will investigate whether these DSTs discriminate against or place an unreasonable burden upon or restrict US commerce.

First emerging technologies identified and controlled for export in the EAR

26 June 2020

The designation also makes these a "critical technology," giving CFIUS jurisdiction over foreign investments in US businesses that engage with these items.

Therapies for COVID-19: Two major developments

25 June 2020

The developments, one negative and one positive, involve widely available medications.

COVID-19 and investment claims under NAFTA

15 May 2020

An examination of whether measures taken by States in response to the pandemic could provide a basis for claims under the North American Free Trade Agreement and more.

COVID-19 Phase 4 legislation: Information and progress update

14 May 2020

A summary of the start of Congressional negotiations on additional COVID-19 related business relief provisions.

Helping patients during the pandemic

14 May 2020

Some important considerations for biopharma manufacturers.

Coronavirus: the federal government is working quickly to fund the efforts of small business to recover from the global crisis: electronic signatures are permitted

13 May 2020

Electronic signatures are permitted as part of the Paycheck Protection Program and Main Street Lending Program.

DOL and IRS issue COVID-19 timeframe extensions for health, welfare and retirement plans

13 May 2020

The extensions create administrative complexity for plan administrators.

Structured real estate finance: The basics of tranching real estate debt

12 May 2020

Understanding the interplay of multiple creditors exercising different rights under different financial structures.

COVID-19: National security risks lead to expanded global foreign direct investment reviews

11 May

Key developments in global FDI review regimes.

Puerto Rico starts reopening businesses: Employers must establish exposure control plans

11 May 2020

The authorization to reopen is conditioned on the adoption of strict measures by employers to avoid contagion.

[UPDATED] Therapies for COVID-19: What is in the pipeline?

11 May 2020

As of May 8, 2020, there are over 1,300 clinical trials investigating potential therapies for COVID-19, of which nearly 800 are interventional trials.

US takes action to abate tariffs and duties in wake of COVID-19

8 May 2020

US importers may consider navigating the various tariff exemptions and deferrals in several ways.

BIS announces three new rules that place significant restrictions on exports to China

7 May 2020

These rules will subject many products and technologies to new US export control licensing requirements.

Latest round of CMS COVID-19 waivers includes telehealth expansion and other billing flexibilities

7 May 2020

Congress is permitting dramatic expansion of telehealth coverage for the duration of the public health emergency. These are the latest developments.

CARES Act and eligibility under the Paycheck Protection Program

6 May 2020

The CARES Act does not expressly exclude debtors in bankruptcy from eligibility for PPP loans; however, it grants the SBA broad

rulemaking authority.

COVID-19: New York and Other Northeast Council states take phased approach to reopening economy

6 May 2020

These developments raise a number of immediate questions and considerations for businesses operating in the region.

CFIUS filing fees effective as of May 1, 2020: What you need to know

5 May 2020

The filing fees go into effect and must be paid for transactions filed on or after May 1, 2020.

Economic relief for hemp farmers in new round of funding in response to COVID-19

5 May 2020

The new stimulus package is a more apparent green light for hemp businesses to obtain financial aid.

Main Street Lending Program: Federal Reserve expands scope and eligibility for small and mid-size business loans

5 May 2020

The revised Main Street Lending Program will allow larger companies and businesses with more pre-existing debt access to loans.

New York state courts permit new filings in "non-essential" matters on May 4, 2020

5 May 2020

Latest developments impacting the court systems in New York.

The CARES Act and related relief for the multifamily industry: Part III – Freddie Mac Forbearance Program

5 May 2020

A brief summary of the forbearance program for multifamily borrowers as currently offered by Freddie Mac.

What compliance programs can do now to prepare for operations in the new COVID-19 reality

5 May 2020

Anticipating changes in the ABAC and compliance landscape to prepare for the lifting of social distancing mandates that have required non-essential businesses to close.

Israel Group News May 2020

4 May 2020

ISRAEL GROUP NEWS

Providing access to valuable business resources in real time.

Economic downturn: Key executive compensation issues for employers

1 May 2020

Key issues US-based employers are encouraged to consider as they evaluate potential executive compensation strategies in light of COVID-19.

Food and beverage COVID-19 regulatory updates

1 May 2020

Ongoing commentary and guidance from US regulators.

Pandemic Response Accountability Committee – Update

1 May 2020

The PRAC, in conjunction with various agency inspectors general, has emerged at the forefront of nascent oversight efforts for relief funds.

The NLRB's overhaul of its election procedures

1 May 2020

The new rules address many of the criticisms of the Board's 2015 election rules.

eNotes use surges – insights for lenders looking to close mortgage loans electronically

30 April 2020

Some key considerations for lenders looking to close loans electronically, either in person or remotely.

eSignature and ePayment News and Trends

30 April 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Some key considerations for lenders looking to close loans electronically, either in person or remotely, plus latest regulatory, legal and case law developments around eSignatures and ePayments.

HHS clarifies PREP Act immunity for COVID-19-related activities

28 April 2020

These immunity provisions may provide significant protection to manufacturers, distributors, and others engaged in COVID-19-related efforts.

Loan modifications and forbearance during the COVID-19 crisis

28 April 2020

Both states and the federal government have implemented changes to real estate policy.

Preparing for the COVID-19 class action: Is there an unexpected consequence lurking in your arbitration agreement's poison pill provision?

28 April 2020

Several decisions demonstrate that including a poison pill provision with a class action waiver that waives the right to seek public injunctive relief could render the entire arbitration agreement unenforceable.

Top of Mind: COVID-19 technology sector insights

28 April 2020

In this time of growing uncertainty, we recognize that many tech businesses are facing significant disruptions and unprecedented challenges arising from the coronavirus disease 2019 (COVID-19) pandemic.

US telehealth update: New federal guidance to state Medicaid agencies suggests more coverage is coming

27 April 2020

A powerful signal that CMS is ready to support targeted interventions in favor of telehealth.

Attorney General Insights podcast with Maryland Attorney General Brian Frosh

24 April 2020

[ATTORNEY GENERAL INSIGHTS PODCAST](#)

DLA Piper partner and former Delaware Attorney General Matt Denn interviews Maryland Attorney General Brian Frosh about the legal and organizational challenges that he and his fellow AGs are facing during the Covid-19 pandemic.

DLA Piper · Attorney General Insights: Brian Frosh

COVID-19: Conducting internal investigations in remote work settings

24 April 2020

For companies conducting internal investigations or responding to an investigation, practical solutions in a time of distancing.

Connected care funding for healthcare providers from the CARES Act

24 April 2020

New funding to promote and support telehealth.

Coronavirus: Reopening businesses – compliance risks

24 April 2020

Companies looking to reopen are urged to do so in compliance with varying, changing government restrictions to avoid longer term liabilities that could potentially outweigh short term gains

EPA and CalEPA guidance on field activities during COVID-19 focuses on agency communication, deadlines and flexibility

24 April 2020

EPA wishes individual regions to communicate directly with their regulated communities to ensure reasonable expectations for ongoing field work; meanwhile, CalEPA may fill gaps in EPA's enforcement.

What COVID-19 could mean for the future of the Big Tech investigations

24 April 2020

[ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

Rather than hampering the investigations over the long term, the pandemic may open new lines of inquiry for antitrust investigators.

Congress approves more funding for small businesses

23 April 2020

This package includes billions of dollars in new funding.

Declaration and payment of dividends in a time of economic uncertainty

23 April 2020

Delaware case law provides guidance for boards facing challenging economic pressure regarding dividends.

FINRA updates frequently asked questions related to regulatory relief due to the COVID-19 pandemic

23 April 2020

Additional guidance from FINRA for broker-dealers.

Strengthening franchise systems post COVID-19: Strategic acquisitions

23 April 2020

[FRANCAST](#)

For franchise companies looking for strategic opportunities, a discussion of transaction structures.

COVID-19 Phase 4 federal legislation – UPDATE

21 April 2020

Time is of the essence and the plan is to have a draft Phase 4 COVID-19 relief bill ready by the end of April.

COVID-19: ¿Una base legítima para reclamos de inversión?

21 April 2020

Si las medidas tomadas por diferentes estados en respuesta a COVID-19 podrían representar una base legítima para potenciales reclamos en virtud de los tratados bilaterales de inversión.

Coronavirus: State Attorneys General take action against alleged price gouging in personal protection equipment sales

21 April 2020

State Attorneys General coast to coast are taking aggressive action.

US antitrust enforcers on high alert for collusion in labor markets during COVID-19 pandemic

21 April 2020

[ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

Antitrust enforcers are closely monitoring employer coordination to disadvantage workers.

Bank Regulatory News and Trends

20 April 2020

[BANK REGULATORY NEWS AND TRENDS](#)

Bank regulators, Treasury and Congress take emergency steps to contain damage to the economy and temporarily ease regulatory burdens on financial services industry.

CARES Act: A lifeboat for Puerto Rico

20 April 2020

The stage is set for Puerto Ricans to benefit directly from key provisions of the CARES Act.

Cross-border liability management strategies for Latin American issuers with New York law-governed debt securities

20 April 2020

The main types of so-called liability management transactions available to Latin American issuers seeking to reprofile or restructure their New York law-governed debt securities.

IRS provides comprehensive extension of deadlines for taxpayers' tax filing and payment obligations

20 April 2020

A brief summary of Notice 2020-23.

Opening Up America Again Guidelines signal relaxation in elective surgery restrictions

20 April 2020

For healthcare providers as they evaluate how the Opening Up America Again Guidelines pertain to their respective practices.

Portfolio company risk analysis during COVID-19

20 April 2020

An overview of certain material issues for PE firms and portfolio companies to consider when conducting financial risk analyses.

Clinical trials during the COVID-19 pandemic: A global guide

17 April 2020

The unprecedented situation resulting from the COVID-19 pandemic impacts the ability to conduct clinical trials on a global scale. Pharmaceutical companies need to address multiple challenges to ensure the continuity of trials on human medicines.

Investment adviser compliance in the COVID-19 pandemic – pay attention to valuation and strategy deviation issues

17 April 2020

Investment advisers still must comply with their obligations to maintain and implement fair pricing policies and procedures and follow their disclosed investment strategies.

CMS regulatory waivers relax supervision and other requirements in an effort to address staff shortages caused by rising COVID-19 cases

16 April 2020

These changes are effective immediately.

COVID-19 – a legitimate basis for investment claims?

16 April 2020

This article considers whether measures taken by States in response to the COVID-19 pandemic could provide a legitimate basis for claims under bilateral investment treaties (BITs) or other investment protection instruments, and identifies some of the defences that may be available to States.

DOJ expands home confinement options as coronavirus spreads in prisons

16 April 2020

Thousands of inmates in numerous states have already been released from detention centers in an effort to minimize the risk of COVID-19 to those in custody, while also minimizing the risk to the public.

FCC now accepting applications for CARES Act telehealth grants

16 April 2020

To ensure as many applicants as possible receive funding, the FCC noted it does not anticipate awarding more than \$1 million to any single applicant.

Immediate COVID-19 relief to Medicare providers arrives... with conditions

16 April 2020

For eligible Medicare providers who continue to suffer economic losses stemming from the pandemic, this program is welcome, but it comes with detailed conditions.

NLRB orders resumption of union representation elections

16 April 2020

The Board's decision to resume representation elections raises significant legal and strategic concerns for both employers and unions.

Puerto Rico's Emergency Paid Sick Leave Act is in force

16 April 2020

The Act will also apply in case of future epidemics in which the Puerto Rican government declares a state of emergency.

Adapting to a new consumer market

15 April 2020

As consumer-facing businesses consider changes in their business models, avoiding legal pitfalls in some key areas is necessary for a successful transition.

Anticipated increase in website and mobile application litigation as a result of COVID 19-pandemic: 12 practical steps toward compliance

15 April 2020

Companies are urged to take notice of these lawsuits, because the number of these cases is increasing and some have been very costly.

The impact of COVID-19 on dependent care flexible spending accounts

15 April 2020

Are employees permitted to increase or decrease their deferrals, or begin or cease participation?

US CPSC advises consumers certain recall remedies may be unavailable due to COVID-19 – four key takeaways

15 April 2020

Guidance will evolve as the pandemic develops, and CPSC-regulated firms are encouraged to consider these actions.

COVID-19: New York State provides new guidance on essential businesses

13 April 2020

The Guidelines raise a number of immediate questions and considerations for New York businesses.

FDA COVID-19 updates for the food and beverage industry

13 April 2020

FOOD AND BEVERAGE NEWS AND TRENDS

FDA issues guidance to serve as a food safety resource during the COVID-19 pandemic, plus other late-breaking developments in the food and beverage sector.

Main Street Lending Program: Federal Reserve unveils emergency lending facilities for small and mid-size businesses up to 10,000 employees

13 April 2020

The Fed announces new steps it is taking to provide loans to assist employers of various sizes, as well as to strengthen the ability of state and local governments to deliver critical services during the pandemic.

The CARES Act and related relief for the multifamily industry: Part II – The Fannie Mae Forbearance Program

13 April 2020

Relief available for multifamily borrowers under the CARES Act.

COVID-19: A breeding ground for corruption – monitoring key risks

10 April 2020

US regulators are reminding US businesses that a crisis situation does not excuse a failure to address increased risks of bribery and corruption.

Coronavirus: Overview of healthcare funding stimulus and policy provisions in the CARES Act (United States)

10 April 2020

Among numerous health policy provisions in the CARES Act is one allowing BARDA to partner with private sector companies on R&D.

FINRA publishes COVID-19 information notice providing suggested measures to strengthen cybersecurity controls

10 April 2020

FINRA provides numerous suggested measures for strengthening cybersecurity controls regarding increased risks associated with employees working remotely.

Families First Coronavirus Response Act – Health emergency leave and exempted health care providers

10 April 2020

The temporary health emergency leave measures include a key carveout for "Health Care Providers" and "Emergency Responders."

US \$2T stimulus COVID-19 package includes significant R&D funding

10 April 2020

A summary of R&D funding in the CARES Act broken out by federal departments and agencies.

US: FINRA publishes frequently asked questions related to regulatory relief due to the COVID-19 pandemic

10 April 2020

Through these FAQs, FINRA provides temporary relief from certain rules and requirements where compliance may be affected by the pandemic.

Family First Coronavirus Response Act: US Department of Labor regulations provide additional guidance for employers

9 April 2020

Key developments.

Private equity buyer due diligence and representations and warranties insurance considerations

9 April 2020

Considerations about expansions to standard due diligence and the evolving impact on R&W insurance.

COVID-19: Issues affecting closed-end private investment funds

8 April 2020

Issues that private investors in closed-end private investment funds may want to consider.

COVID-19: Tort immunity for vaccines and antivirals – lessons from the swine flu of 1976

8 April 2020

While the common goal is to quickly develop countermeasures to combat COVID-19, it is important to consider the potential legal and reputational risks.

Profits interests: Jump-starting the value-recovery process

8 April 2020

Equity incentives – and, for many privately owned companies, the often overlooked "profits interest" – can be a powerful tool for jump-starting the value-recovery process.

Contract analysis in a crisis: flowcharts

7 April 2020

Flowcharts providing considerations for analyzing commercial contracts in the context of the COVID-19 pandemic through a logical process flow that can serve as a practical checklist.

Coronavirus Aid, Relief, And Economic Security (CARES) Act payroll tax relief provisions – a quick look for nonprofits and microenterprises

7 April 2020

The Employee Retention Tax Credit is intended to help the cash flow of employers whose business operations have been adversely affected by the pandemic.

HHS issues notification of enforcement discretion under HIPAA for certain uses and disclosures by business associates

7 April 2020

This announcement permits business associates to share personal health information with public health authorities and agencies in accordance with HIPAA exceptions as part of COVID-19 relief efforts.

A balance between the government, the private sector and the needs of the people: Invocation of rarely used provisions to ensure public safety during the COVID-19 pandemic

6 April 2020

The Defense Production Act, compulsory licensing and march-in rights are means for authorizing the government to step in and assert rights against private companies.

Are new Bay Area protocols and testing coming your way?

6 April 2020

The Bay Area has often led the way in developing and implementing government-mandated restrictions on business operations – details about current protocols.

COVID-19 and the "essential business" designation: Practical guidance for businesses that fall in the gray area between "essential" and "non-essential"

6 April 2020

Certain frequently asked questions as well as practical guidance.

COVID-19 emergency declaration allows Centers for Medicare & Medicaid Services to issue 1135 waivers, 1915(c) waivers and changes to survey and audit processes

6 April 2020

Issued in a public health emergency, the waivers help ensure healthcare items and services are available for individuals enrolled in Social Security Act programs.

COVID-19: Key Questions Franchisors Are Asking

6 April 2020

FRANCAST

Succinct responses for franchise systems.

Coronavirus: Supplier due diligence for vetting Chinese medical suppliers for quality, safety, fair pricing and anti-corruption compliance

6 April 2020

Some key risks, and potential solutions to reduce cross-border operational risks.

Coronavirus: The Defense Production Act's authorities and limitations in the fight against COVID-19

6 April 2020

The DPA has significant implications for companies receiving a direct order from the President and for the subcontractors and suppliers behind them; meanwhile, recent legislation has created procurement opportunities under the DPA.

Federal Reserve resurrects TALF program in response to COVID-19

6 April 2020

It is widely expected that the terms and requirements of obtaining credit through TALF 2.0 will largely follow those from a predecessor facility made available during the financial crisis.

Rent relief options for US commercial leases: approaches to making a deal for landlords and tenants

6 April 2020

Options to explore for both landlords and tenants.

SEC provides additional filing relief and disclosure guidance in light of COVID-19

6 April 2020

In addition, the Division of Corporation Finance issued disclosure guidance regarding the impact of the pandemic.

The CARES Act and USPTO patent practitioner deadlines

6 April 2020

While the USPTO remains open for filing of documents and fees, Director Iancu announced that parties may be eligible for extensions of certain deadlines if their inability to meet a current deadline is due to the COVID-19 pandemic.

[UPDATED] As device industry veterans and newcomers step up to the line, FDA swiftly adjusts regulatory hurdles for personal protective equipment during the COVID-19 pandemic

6 April 2020

A high level overview of the FDA's tiered, risk-based approach to masks, face shields and respirators based on developments to date.

CARES Act may offer relief for medical practices, but raises questions for private equity-backed practice management companies

3 April 2020

Medical practices and practice management companies are urged to consider options under the CARES Act.

CARES Act waivers from CMS provide additional flexibility for telehealth services and relief from certain Stark Law liabilities (United States)

3 April 2020

This latest relief further expands healthcare practitioners' ability to reach patients through telehealth, an important tool for addressing patient needs while reducing in-person contact.

COVID-19's impact on portfolio company financing

3 April 2020

An overview of financing considerations for portfolio companies of PE firms to address market challenges created by the COVID-19 crisis.

COVID-19: Financial relief programs for hemp and hemp-related businesses

3 April 2020

What the relief bill may mean for the cannabis industry.

Funding opportunities and changed requirements for education institutions in the CARES act

3 April 2020

A number of provisions in the CARES Act are designed to relax requirements for education institutions, students and faculty.

Hospitality industry update: President signs into law massive COVID-19 relief and economic stimulus package

3 April 2020

Phase 3 in the ongoing federal government efforts to respond to the health and economic implications of the COVID-19 pandemic.

Public legislative processes and public meetings during the time of COVID-19

3 April 2020

While modifications to open meetings laws may allow many public meetings to take place remotely, municipalities and petitioners must also take steps to ensure the legal sufficiency of public participation in remote public hearings.

SEC extends relief and provides guidance for investment advisers affected by COVID-19

3 April 2020

Registered investment advisers (and exempt reporting advisers, as applicable) are still required to comply with their filing and delivery obligations.

SEC will not change June 30, 2020 Regulation Best Interest compliance date; FINRA proposes conforming rule changes (update from 31 March 2020)

3 April 2020

The SEC is reportedly considering a delay in the compliance date for Regulation Best Interest due to COVID-19.

Transportation provisions of the CARES Act, the federal COVID-19 relief and economic stimulus law

3 April 2020

The Act targets substantial assistance to certain transportation businesses and their employees.

Beyond social distancing: What employers need to know to keep their workplaces safe and manage privacy obligations in the face of COVID-19

2 April 2020

Guidance from OSHA, EEO and CDC to help employers seeking to protect the health, safety and privacy of their on-site employees.

Illinois courts' response to the COVID-19 pandemic

2 April 2020

The Illinois courts respond to the pandemic.

The barbarians are coming ... time for public companies to reinforce the gate

2 April 2020

While it is far too early to understand or evaluate the true impact that the COVID-19 outbreak may have on the M&A market, for so long as market prices remain depressed, public companies are encouraged to remain cognizant of the potential threat of coercive takeover attempts.

eSignature and ePayment News and Trends

March/April 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

COVID-19 special edition

Annual shareholder letter considerations and guidance

1 April 2020

This alert provides an update on practice as of the date of publication as well as general guidance and insights to assist boards of directors and senior management of US public companies as they evaluate their communication strategies.

CARES Act relief for private equity portfolio companies

1 April 2020

While some small business relief under the CARES Act may be of limited utility to PE portfolio companies, other features of the Act are more broadly applicable to PE sponsors and their portfolio companies.

CARES Act retirement and health plan relief: Practical implications for employers

1 April 2020

Provisions affecting retirement plans and health and welfare plans in the CARES Act.

Coronavirus: What happens to my lawsuit now?

1 April 2020

Some of these shifts in legal practice may lead to long-term efficiencies that benefit clients and improve access.

DOJ increases scrutiny of nursing home industry

1 April 2020

DOJ is doubling down on its commitment to investigate and prosecute allegations of elder abuse and of substandard quality of care.

Amid COVID-19, US EPA loosens its enforcement policies on the regulated community

31 March 2020

EPA will exercise enforcement discretion in policing businesses and other regulated entities for noncompliance with certain environmental regulations.

COVID-19 essential businesses: Anti-bribery and anti-corruption risks

31 March 2020

Given the significant impact of being deemed non-essential, businesses and employees are incentivized to ensure their business is deemed essential by local authorities – and this can pose anti-bribery anti-corruption (ABAC) risks to companies.

Coronavirus: Cybersecurity considerations for your newly remote workforce (United States)

31 March 2020

Cyber risk management involves balancing the productivity of a workforce with ensuring confidentiality, integrity and availability of the company's own systems and data, as well as that of their supply chain.

Coronavirus: Overview of tax provisions in the Coronavirus Aid, Relief, and Economic Security Act

31 March 2020

An outline of business tax provisions in the CARES Act.

Coronavirus: Warning from SEC on insider trading highlights importance of disclosure controls during the COVID-19 pandemic

31 March 2020

A statement on March 23 warned that the SEC would be on heightened alert for signs of insider trading and other misconduct that might harm investors.

Importing critical healthcare supplies during the COVID-19 pandemic: Recent US developments

31 March 2020

Practical guidance is critical to help importers of medical products efficiently navigate legal and regulatory hurdles so that admissible products with the potential to safeguard patients' health and well-being may be granted entry into US markets as expeditiously as possible.

Practical advice for US commercial landlords relating to COVID-19

31 March 2020

General areas for landlords and building owners to consider in connection with the impact of COVID-19 on their buildings, leases and other agreements.

Coronavirus: State Attorneys General and the New COVID-19 Stimulus

30 March 2020

With the president's signature on March 27, 2020, the government passed into law the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the largest economic stimulus package in American history. Passed in response to the coronavirus disease 2019 (COVID-19) pandemic, the CARES Act will have an enduring impact on the country for years to come, particularly so for the industries and businesses eligible for stimulus relief funds. The massive scale of the CARES Act immediately calls to mind questions about how the government will respond in its attempt to prevent fraud, waste, and abuse in carrying out the stimulus.

Is coronavirus a force majeure event?

30 March 2020

These straightforward FAQ explain what force majeure provisions are, how they work, and whether coronavirus is a force majeure event.

Supreme Court Corner

30 March 2020

Notable cases involve trademark protectability and federal preclusion principles.

Coronavirus: DHS Response to COVID-19 - What US Employers Need to Know

29 March 2020

Key questions and answers related to the new DHS guidance.

Coronavirus: US State AGs ramp up efforts to combat price gouging

29 March 2020

[ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

State Attorneys General throughout the country are vigorously enforcing state unfair trade practice and price gouging statutes against those alleged to be taking advantage of consumers during the COVID-19 pandemic.

COVID-19: Getting your cross-border deal done and documents notarized and legalized in the age of coronavirus (United States)

27 March 2020

A summary of recent changes to the notarization, apostille and legalization by embassy processes in the United States.

Coronavirus: Employer's guide to the California Stay at Home Order and the Bay Area Shelter in Place Orders

27 March 2020

Many Northern California employers are seeking to reconcile their obligations under these orders. This Alert will address some of the uncertainties associated with dual compliance for Northern California employers.

Coronavirus: strategic considerations for US investment advisers considering whether to apply for temporary relief from filing obligations due to COVID-19

27 March 2020

While this relief may be welcome for many, before applying for relief, investment advisers should consider whether the extension is advisable in light of the conditions placed on advisers seeking to rely on the relief and the implications of seeking an extension.

Teledentistry update: Navigating teledentistry during the COVID-19 pandemic (United States)

27 March 2020

As part of its efforts to mitigate the spread of the COVID-19 pandemic, on March 18, 2020, the American Dental Association provided essential guidance on emergency vs. nonemergency dental care and the use of teledentistry.

US Antitrust enforcers issue joint statement on competitor collaboration amid COVID-19 pandemic

27 March 2020

[ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

The US Department of Justice and Federal Trade Commission issued a Joint Antitrust Statement Regarding COVID-19, in which they announced an expedited procedure for evaluating proposed collaborations among competitors and other businesses working to address the pandemic.

Bank Regulatory News and Trends

26 March 2020

[BANK REGULATORY NEWS AND TRENDS](#)

The Federal Reserve takes extraordinary steps to address the economic risks arising from COVID-19, among them unprecedented emergency measures to support the economy and expanding credit flow to municipal debt markets. This issue also reports on urgent

actions being taken by an array of other federal and state financial services regulators.

Coronavirus: Congressional leaders and the Trump Administration reach agreement on massive COVID-19 relief and economic stimulus package

26 March 2020

Senate Republican and Democratic leaders and the Trump Administration announced on Wednesday, March 25, 2020 that they have reached a deal on The Coronavirus Aid, Relief, and Economic Security Act.

ESG: The rise of private ordering and the role of the NCGC committee (United States)

26 March 2020

ESG HANDBOOKS AND GUIDES

This inaugural ESG handbook, part of our 2020 Proxy Season Hot Topics series, aims to help public companies as they develop and maintain a robust ESG program.

Blockchain and Digital Assets News and Trends

25 March 2020

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

The age of viral outbreaks – key contract considerations in a post-COVID-19 world, plus latest legal, regulatory and case law developments around blockchain and digital transformation.

COVID-19 prompts CMS to give new flexibility to participants in Medicare Quality Programs

25 March 2020

In light of COVID-19, participants in the Medicare Quality Payment Program will have extra time to report some quality metrics and can temporarily suspend other tracking and reporting activities altogether.

Coronavirus: Cyber hygiene practices

25 March 2020

While the world is responding to the coronavirus disease 2019 (COVID-19), and individuals are increasingly focused on personal hygiene and social distancing, augmenting cyber hygiene efforts at home and at work are increasing in importance too.

Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures (Part 2 – Employment issues outside the US)

25 March 2020

A general overview of key employment issues to consider outside of the US in light of COVID-19.

Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures in the US - Part 1

25 March 2020

Key employment-related issues for US-based employers in relation to cost-saving measures due to COVID-19.

DLA Piper obtains approval of first coronavirus-impacted bankruptcy sale

25 March 2020

DLA Piper's Restructuring practice is at the forefront of the intersection of COVID-19 and bankruptcy.

Hotels and hospitals may find new partnerships to solve for bed capacity issues and vacancies

25 March 2020

The impacts of COVID-19 upon the hospitality sector as well as hospital systems and the healthcare industry have been sudden and dramatic.

CMS Emergency Preparedness Rule: Planning during COVID-19 (United States)

24 March 2020

As healthcare providers continue to face a variety of challenges during the coronavirus disease 2019 (COVID-19) pandemic, healthcare providers and suppliers should be aware of the Centers for Medicare and Medicaid Services Emergency Preparedness Rule and its resources.

COVID-19 update for private fund managers (United States)

24 March 2020

On March 13, 2020, the Securities and Exchange Commission issued an order providing investment advisers, whose operations may be impacted by the coronavirus disease 2019 (COVID-19), temporary relief from certain filing requirements under the Investment Advisers Act of 1940.

SBA to provide disaster assistance loans for small businesses impacted by coronavirus (COVID-19) (United States)

24 March 2020

The Small Business Administration has authorized Economic Injury Disaster Loans of up to \$2 million in assistance to help small businesses and other organizations that have been financially impacted as a direct result of the coronavirus (COVID-19) since January 31, 2020.

Coronavirus: Several state and local governments issue "shelter in place" orders (United States)

23 March 2020

Between March 17 and 22, state and local governments have promulgated at least a dozen "Stay-at-Home" / "Shelter-at-Home"-type Orders. This alert provides details on a number of state and local government orders.

Energy commodity marketing and trading companies in times of crisis: Risks of heightened scrutiny from the

CFTC and FERC

23 March 2020

Energy commodity marketing and trading companies should take a number of steps to mitigate the risks of regulatory infractions during times of crisis.

[UPDATED] New stay at home orders in California and Los Angeles: key highlights

23 March 2020

The orders all exempt various businesses from compliance, but the orders have different scopes.

90-day deferral for US federal income tax payments

20 March 2020

Those who decide to defer their federal tax payments will be able to do so on a penalty-free and interest-free basis, with penalties and interest beginning to accrue for payments submitted after July 15, 2020.

COVID-19 and food – FDA position (United States)

19 March 2020

For help considering potential impacts of FDA touchpoints.

Coronavirus: business resilience and continuity planning

19 March 2020

Prudent companies understand that their response to the COVID-19 pandemic should be consistent with their business resilience plans.

Coronavirus: executive summary - key highlights from Washington (March 19, 2020) (United States)

19 March 2020

Key highlights for March 19, 2020.

COVID-19: As diagnostic companies and laboratories ask “how can I help?” FDA responds with unprecedented regulatory flexibility, seeking to achieve more rapid testing capacity in the US

18 March 2020

Options expand for life science, healthcare and other stakeholders.

Coronavirus: emergency response legislation passed by the Senate; additional stimulus and tax relief expected soon (United States)

18 March 2020

The US Senate is expected to pass, on March 18, comprehensive legislation to help families and businesses impacted by the coronavirus disease 2019 (COVID-19) pandemic.

Telehealth update: COVID-19 prompts emergency Medicare coverage and other seismic shifts (United States)

18 March 2020

Multiple federal agencies have issued regulatory waivers and released additional funding to loosen the constraints on telehealth services and encourage widespread adoption.

US employee benefits and the coronavirus

17 March 2020

Some of the many benefit plan issues that employers are facing.

Coronavirus: federal and state tax relief (United States)

16 March 2020

Congress and state legislatures and administrative agencies are working hard to provide necessary tax relief for those affected by the coronavirus disease (COVID-19) pandemic.

Court of International Trade blocks expanded Section 232 tariffs on certain US imports, prompting others to take legal action

4 March 2020

The first injunction in an appeal filed by a US importer challenges the expansion of the tariffs on constitutional and procedural grounds.

***US v. Hoskins*: in setback for DOJ, court grants post-trial motion for acquittal on all FCPA counts**

27 February 2020

The decision calls into question DOJ's aggressive approach to a narrow but significant class of potential defendants in FCPA cases.

CFIUS's new role in real estate transactions

20 February 2020

An outline of CFIUS's new authority to review foreign investment in US real estate and its impact on real estate investors who have not previously dealt with CFIUS risk.

Huawei Temporary General License extended for third time

14 February 2020

The extension applies to Huawei and the 114 other non-US Huawei affiliates on the Entity List.

Israel Group News February 2020

10 February 2020

ISRAEL GROUP NEWS

In this issue, our global activities, latest publications, coming events and more.

Long-awaited changes to export controls for firearms and ammunition have arrived

6 February 2020

This new regulatory scheme will create a transition burden on industry, but it will result in more flexible regulatory obligations overall.

Foreign ITAR cloud storage now permitted

4 February 2020

This may provide ITAR-registered companies some flexibility with the virtual storage and transmission of their technical data, but using non-US based cloud storage is still not without risk.

The President announces expansion of Section 232 tariffs expected to affect millions of dollars in US imports

30 January 2020

The Proclamation authorizes the Department of Commerce to establish a process for requesting exclusions for affected parties located inside the US.

New regulations reinforce CFIUS's expanded role with respect to foreign investments in the United States

16 January 2020

The new CFIUS regulations become effective on February 13, 2020.

The almost free US-Japan Trade Agreement is now in effect

9 January 2020

This trade agreement reduces or eliminates US customs duties on numerous goods.

Commerce imposes export licensing requirement on geospatial imagery software

8 January 2020

Companies that produce, design, test, manufacture, fabricate, or develop a software described in the new controls may now be operating within the category of "critical technologies" as defined in CFIUS regulations.

Supreme Court Corner

19 December 2019

We are watching two key cases – *Romag Fasteners v. Fossil* and *Thryv, Inc. v. Click-to-Call Technologies*.

Congressional hearing to focus on facial recognition and national security

12 December 2019

AI OUTLOOK

Technologies controlled by foreign governments and their implications for privacy and national security are expected to be a major topic.

Preventive Medicine: Official “Antimonopoly Compliance Guidelines for Business Operators” in China

10 December 2019

On 28 November 2019, the State Administration of Market Regulation (SAMR) released for public comment draft “Anti-Monopoly Compliance Guidelines for Operators” (the “Draft Guidelines”). These non-binding guidelines recommend measures for “business operators” subject to the Antimonopoly Law (AML) to develop and implement antitrust compliance programmes. The Draft Guidelines integrate prevailing best practices for international compliance programmes, while reflecting the unique challenges of antitrust risk management in China.
