

Shannon MacMichael

Special Counsel



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Export Controls and Economic Sanctions

Higher Education

CooleyREG

Shannon MacMichael is a special counsel in the international trade practice group, focusing primarily on international regulatory compliance, including economic sanctions, export controls and the Foreign Corrupt Practices Act (FCPA). She joined Cooley in 2015.

Export Controls and Economic Sanctions

Shannon provides compliance advice regarding economic sanctions and export controls on dual-use, nuclear and defense items. She assists both corporate and higher education clients in drafting compliance policies and guidelines relating to export control and Office of Foreign Assets Control (OFAC) regulations, and provides training consistent with these policies. She works with clients to properly classify products, software and technology under the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR) and the Nuclear Regulatory Commission (NRC) regulations. She handles the internal review and resolution of export control and sanctions matters and assists clients with a range of export issues and enforcement actions, including risk assessments, deemed export compliance, licensing, technology control plans, due diligence and governmental investigations.

Anti-Corruption Compliance

Shannon advises clients on the FCPA and local laws dealing with anti-corruption, the payment of commissions abroad and offset requirements. She assists corporations in developing and implementing compliance programs, assessing risks and developing mitigation strategies, evaluating gifts and business courtesies and training company personnel. She also manages due diligence for mergers and acquisitions as well as relationships with agents, consultants and other third party partners.

International Business and Employment

Shannon also works closely with local counsel to assist clients with the establishment, operation and closure of representative offices and other legal entities in non-US jurisdictions, as well as the engagement, compensation and termination of international representatives and consultants.

Representative Matters

- Conduct risk assessments, draft and implement compliance policies and procedures, and provide training for large and small companies and institutions relating to compliance with US export control and economic sanctions regulations (ITAR, EAR, OFAC) as well as the FCPA and non-US anti-corruption laws;
- Perform due diligence for mergers and acquisitions, public offerings, third party representatives and consultants and other business partners relating to international regulatory compliance (export, economic sanctions, anti-corruption);

- Work with local counsel to advise companies on compliance with non-US export, anti-corruption, gifts and hospitality, international representation and employment laws and regulations;
- Advised medical equipment manufacturer regarding compliance with US economic sanctions regulations;
- Advised non-US energy company regarding compliance with US export controls on hot section technology;
- Assisted industrial equipment manufacturer in classifying its products under the EAR and NRC regulations; and
- Worked with local counsel in over 15 countries to advise Fortune 500 defense contractor in connection with a global restructuring of offices, including establishing new offices, closing offices, drafting employment contracts and termination letters and handling related disputes.

Prior to joining Cooley, Shannon served as the director of Export Compliance and Secure Research at George Mason University.

Presentations

- "Export Control Risk Assessments," 3rd Annual Conference on Impact of Export Controls on Higher Education & Scientific Institutions
- "How to Implement Effective Nuclear Export Controls Compliance Program," Nuclear Export Controls Summit
- "Classifying Nuclear Technology, Services and Commodities: A Step-by Step Guide to Making the Correct Jurisdictional Determination and Classification," ACI Nuclear Export Controls Pre-Conference Workshop
- "Understanding Enforcement Risks and Defenses in Criminal & Civil Export Controls and Economic Sanctions Cases," Online Webinar

Education

University of Chicago Law School
JD, 1998

University of Virginia
BA, 1992

Admissions & Credentials

District of Columbia

Virginia