



Steven Pelak

Partner

901 K Street NW, Suite 850, Washington, DC 20001

P 202.654.6929

swpelak@hollandhart.com

Steve focuses his practice on civil and criminal enforcement proceedings and internal investigations.

PRACTICES

Export Controls (ITAR/EAR) and Trade Sanctions (OFAC)
 Government Investigations and White Collar Defense
 Foreign Corrupt Practices Act and Anti-Corruption
 Committee on Foreign Investment in the United States (CFIUS)
 International Trade and Compliance
 Compliance Services
 Commercial Litigation
 Compliance Systems, Audits, and Disclosures
 Customs Law/Import Control
 Information Security and Cybersecurity

EDUCATION

University of Michigan Law School, J.D., 1985
cum laude
 Kalamazoo College
 Economics
 Phi Beta Kappa
cum laude

BAR ADMISSIONS

District of Columbia

COURT ADMISSIONS

U.S. Supreme Court
 U.S. Court of Appeals for the District of Columbia Circuit
 U.S. Court of Appeals for the Second Circuit
 U.S. District Court for the District of Columbia
 District of Columbia Court of Appeals, Washington, D.C.
 Superior Court of the District of Columbia

With more than 30 years of experience, he provides clients with sound counsel and advocacy on administrative and criminal inquiries, investigations, and prosecutions, as well as internal corporate compliance matters.

Steve has significant experience as a federal prosecutor and in private practice handling and supervising the investigation and prosecution of export controls, sanctions, fraud, bribery, public corruption, immigration, labor union corruption, terrorism, and other white collar and violent crimes. He counsels and represents individuals and corporate clients in federal and state administrative and criminal inquiries, investigations, and enforcement actions. Steve's long and deep experience has been recognized by Chambers Global and Chambers USA rankings in Export Controls & Economic Sanctions.

Steve assists clients with internal corporate compliance and due diligence efforts with regard to export controls, sanctions, anti-corruption, anti-money laundering, national security, and other statutes and regulations, including the Arms Export Control Act/International Traffic in Arms Regulations (ITAR); the Export Administration Regulations (EAR); the U.S. Treasury Department, Office of Foreign Assets Control (OFAC) sanctions programs; the Foreign Corrupt Practices Act (FCPA); the Committee on Foreign Investment in the United States (CFIUS); the Foreign Agents Registration Act (FARA); anti-money laundering (AML) laws and other federal regulatory schemes. In 2018 and again in 2020, the Assistant Secretary of Political-Military Affairs, U.S. Department of State, appointed Steve to serve as a member of the Defense Trade Advisory Group (DTAG) during the 2018-2020 and 2020-2022 DTAG terms. DTAG advises the Department of State on its administration and enforcement of the ITAR and its regulation of international defense sales to protect and advance the foreign policy and national security interests of the United States, while reducing impediments to legitimate exports.

Prior to joining Holland & Hart in June 2013, Steve served as the U.S. Department of Justice's National Coordinator for Export Controls/Sanctions Enforcement from 2007 until 2013. During those years with the Justice Department, Steve also served as the Acting Chief and Principal Deputy Chief of the Counterespionage Section of the National Security Division.

In those roles, Steve directed a national program of federal prosecutors

and investigators to enhance and increase the U.S. government's ability to investigate and prosecute export control and sanctions violations. Leading the Justice Department's export controls/sanctions enforcement activities and public outreach efforts, Steve has a deep understanding of the U.S. government's policies and enforcement of national security trade laws and regulations, including the current and emerging policies and priorities of federal administrative and law enforcement agencies.

In addition, Steve served for 18 years as an Assistant United States Attorney in the U.S. Attorney's Office for the District of Columbia in a wide variety of capacities. He handled numerous federal investigations and prosecutions involving fraud, bribery, export control and sanctions offenses, public corruption, labor union embezzlement and corruption, national security offenses, and overseas terrorist acts against U.S. citizens. He served as lead counsel on dozens of jury trials and appellate arguments before the U.S. Court of Appeals for the District of Columbia Circuit, the U.S. District Court for the District of Columbia, the Court of Appeals for the District of Columbia, and the Superior Court of the District of Columbia.

Steve's experience in export controls, sanctions, FCPA, national security, CFIUS, FARA, AML, and public corruption matters allows his clients a unique and wide perspective on a range of important U.S. Government regulatory, investigative, and enforcement initiatives and actions.

CLIENT RESULTS

Representative Experience

Opati v. Republic of Sudan, 140 S.Ct. 1601 (2020) – Civil action resulting in unanimous opinion by the Supreme Court of the United States vacating Court of Appeals and reinstating punitive damages awarded to more than 150 U.S. Government employees killed and injured in August 1998 bombings of the U.S. Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania

Fritz, et al. v. Islamic Republic of Iran and Islamic Revolutionary Guards Corps, 320 F.Supp.3d 48 (D.D.C. 2018) – Civil action resulting in bench trial and final judgment against the Government of Iran and IRGC for the extrajudicial killings, torture, and hostage taking of four members of the U.S. Army in Iraq

Rescission and Removal of the September 2016 OFAC Designations of PacNet Services, 12 individuals, and more than 30 companies – Petition to the U.S. Department of Treasury, Office of Foreign Assets Control (OFAC) resulting in the rescission and removal of OFAC's designations of PacNet Services, subsidiary companies, and 12 individuals and an interpleader complaint filed against the U.S. Government and others

Defense Trade, Manufacturing, Engineering, and Technology Fortune 500/Public and Private Companies – Internal Investigations, Advice and Counsel, Representation before the U.S. Government, and Defense on matters involving the Arms Export Control Act/International Traffic in Arms Regulations (ITAR), Export Administration Regulations (EAR), OFAC

Sanctions, Foreign Corrupt Practices Act (FCPA), Committee on Foreign Investment in the United States (CFIUS), Foreign Agents Registration Act (FARA), and related national security and government inquiries, investigations, and enforcement actions

U.S. v. ABN AMRO Bank – Investigation and prosecution of an international bank relating to OFAC sanctions violations

U.S. West, et al. – Investigation and prosecution of the President of the International Association of Iron Workers and other union officials for embezzlement and related fraud offenses

In re Missile Technology Transfer to China – Investigation of export control violations arising from alleged transfer of missile or space launch vehicle technology by U.S. companies Space System/Loral and Hughes Space and Communications

U.S. v. United Technologies Corp. and Pratt & Whitney Canada Corp. – Supervision of the investigation and prosecution of the unlawful export of technical data to China relating to engine software for attack helicopters

U.S. v. ITT Corp. – Supervision of the investigation and prosecution of the unlawful export of technical data to China relating to night vision equipment

U.S. v. BAE Systems plc – Supervision of the investigation and prosecution of a multinational defense contractor arising from a conspiracy to make false statements regarding foreign payments in relation to the sale of defense articles required to be disclosed to the State Department under the AECA/ITAR and false statements about its Foreign Corrupt Practices Act compliance program

U.S. v. Brown, et al. – Investigation and prosecution of 12 officers of the Metropolitan Police Department for bribery, public corruption, and conspiracy offenses

U.S. v. Garappolo and Massey – Investigation and prosecution of Certified Public Accountants/outside auditors of an ERISA fund and a union for participation in a scheme to cover up embezzlement and to file false financial reports

In re Ruby Ridge – Investigation and prosecution of obstruction of justice and criminal conduct by FBI Headquarters Officials

In re Embezzlement from the Public Defender Service – Investigation and Prosecution of the Chief Financial Officer of a local governmental agency

U.S. v. Stowe – Investigation and prosecution of an official of the Metropolitan Police Department for extortion, fraud, and theft

PUBLICATIONS

["DOJ Announces Significant Changes to Corporate Criminal Enforcement](#)

Policies," *Holland & Hart News Update*, Co-Author, 11/09/2021

"President Biden Gets Tough on Russia with New Executive Order," *International Compliance Blog*, Co-Author, 04/16/2021

"Commerce Names More than 100 Chinese and Russian to Inaugural MEU List," *International Compliance Blog*, Co-Author, 12/24/2020

"Not Done Yet - BIS Adds SMIC to Entity List," *International Compliance Blog*, Co-Author, 12/18/2020

"Beware of Export Control Compliance in COVID-19 Teleworking Environment," *Holland & Hart News Update*, Co-Author, 03/25/2020

"3D Printing/Blockchain Merger: A potential supply chain security and export control compliance tool?," *WorldECR*, Co-Author, February 2020

"Russian Nationals and Others Charged with Attempting to Evade U.S. Sanctions to Aid Russian Government-Controlled Business," *International Compliance Blog*, Co-Author, 12/20/19

"OFAC: Sanctions Compliance Provisions in Lease Agreements Alone May Be Insufficient," *International Compliance Blog*, Co-Author, 11/27/19

"U.S. Hits Cuba With Another Round of Sanctions - De Minimis Threshold Dropped to 10 Percent," *International Compliance Blog*, Co-Author, 10/22/2019

"OFAC Sanctions "Sudanese Oligarch" for Fraud and Corrupt Dealings in South Sudan," *International Compliance Blog*, Co-Author, 10/18/2019

"OFAC Redefines the Term "Significant Transnational Criminal Organization," Broadening Its Reach," *International Compliance Blog*, Co-Author, 10/09/2019

"Trump Administration Tightens Cuba Sanctions, Eliminates "U-Turn" Authorization," *International Compliance Blog*, Co-Author, 09/12/2019

"Partial Economic Embargo: United States Significantly Expands Sanctions Against Venezuela's Government," *International Compliance Blog*, Co-Author, 08/07/2019

"OFAC Expands Sanctions-Related Rejected Transaction Reporting Requirements," *Holland & Hart News Update*, Co-Author, 07/19/2019

"Export Control Laws Not a Blank Check to Exclude Job Applicants," *Holland & Hart News Update*, Co-Author, 02/21/2019

"Treasury Issues New CFIUS Interim Rules," *Holland & Hart News Update*, Co-Author, 10/23/2018

"Accelerating International Cooperation in Fraud, Corruption, and Other Government Investigations and Enforcement Actions in 2017," *TerraLex*

Connections, Co-Author, February 2018

"DOJ Settlement Sets Forth Best Practices for Protecting Sensitive Data for Government Contractors and Information Technology Companies," *Holland & Hart News Update*, Co-Author, January 2018

"Podcast: Bringing Terrorism to Trial with Steven Pelak," *National Security Law Today Podcast from the American Bar Association Standing Committee on Law and National Security*, December 2017

"National Emergency Creep Threatens OFAC's Good Standing," *WorldECR*, Co-Author, November 2017

"U.S. Government Revokes the Sudanese Sanctions Regulations, But Restrictions and Risks Remain," *Holland & Hart News Update*, Co-Author, October 2017

"Why is Sudan Not Subject to the Same ITAR Prohibitions as Other State Sponsors of Terrorism?," *International Compliance Blog*, Co-Author, 10/18/2017

"Accelerating International Cooperation in Fraud, Corruption, and Other Criminal Investigations and Enforcement Actions," *Holland & Hart News Update*, Co-Author, 09/12/2017

SPEAKING ENGAGEMENTS

"ITAR Part 130 - Past, Present, and Proposed Future," *Co-Speaker, 2022 Spring Virtual Advanced Conference, Society for International Affairs*, 05/18/2022

"Trends and Best Practices in DDTC and BIS Voluntary Self-Disclosures," *Panelist, 2018 Fall International Trade Export Licensing & Compliance Conference, Society for International Affairs*, October 23, 2018

"ITAR Boot Camp - Enforcement Trends and Observations," *American Conference Institute*, Chicago, IL, June 7, 2018

"Tackling Corruption in the Global Arms Trade," *Center for International Policy*, Washington, DC, November 2, 2017

MEMBERSHIPS AND AFFILIATIONS

- Defense Trade Advisory Group (DTAG) of the U.S. Department of State, Bureau of Political-Military Affairs, Directorate of Defense Trade Controls, 2018-2022; Appointed for 2022-2024 term
- Society for International Affairs, Member
- American Society of International Law, Member
- Association of Assistant United States Attorneys, Washington, D.C.

RECOGNITION

- *Chambers Global*, USA, International Trade: Export Controls & Economic Sanctions, 2017-2022

- *Chambers USA*, International Trade: Export Controls & Economic Sanctions, Nationwide, 2016-2022
- 2012 National Counterintelligence Executive's Award for Counterintelligence Investigations and Prosecutions for participation in an export control investigation and prosecution relating to China
- 2011 U.S. Department of Commerce Assistant Secretary's Award for Export Enforcement
- 2010 Attorney General's Award for the Advancement of the National Security relating to an Iranian sanctions prosecution involving the national security
- Executive Office of U.S. Attorneys Director's Award for Criminal Trial Litigation
- Numerous Special Achievement and Recognition Awards from the U.S. Attorney for the District of Columbia and Federal Law Enforcement Agencies

PROFESSIONAL AND CIVIC AFFILIATIONS

- ABA International Law Section, National Security Committee Steering Group, Member
- Thurgood Marshall American Inn of Court, Member (former)
- Former Member, U.S. Government Senior Executive Service (2009-2013); Supervisor, Senior Litigation Counsel, and Anti-Terrorism Advisory Council Coordinator within the U.S. Attorney's Office
- Highlands Swim & Tennis Club, Board of Directors President (former)