



Jason A. McClurg Counsel

Contact Information

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Practice Areas

Export Controls and Sanctions
Civil and Criminal Litigation

Education

Emory University School of Law
J.D., 2004

University of California
Los Angeles

B.A., *summa cum laude*, 2001

Jason McClurg is a member of Berliner Corcoran & Rowe LLP's Export Controls and Economic Sanctions practice group. Mr. McClurg has extensive experience advising clients on regulatory compliance with U.S. export controls and economic sanctions, focusing principally on compliance with the International Traffic in Arms Regulations ("ITAR"), the Export Administration Regulations ("EAR"), and various economic sanctions programs administered by the Treasury Department's Office of Foreign Assets Control ("OFAC"). In addition to regulatory counseling, Mr. McClurg's practice includes conducting internal investigations, drafting filings to and interacting with government regulators, analyzing export control jurisdiction and classification and preparing requests for Commodity Jurisdiction and Commodity Classification (CCATS) determinations, preparing internal compliance policies and procedures, preparing voluntary and directed disclosures, and performing export controls and sanctions due diligence in connection with corporate transactions. Mr. McClurg also advises clients on the applicability of regulations administered by the Committee on Foreign Investment in the United States ("CFIUS"), and preparing voluntary or required CFIUS filings.

Mr. McClurg represents a diverse client base ranging from Fortune 100 and multinational corporations to small businesses and individuals, including manufacturers, systems integrators, engineers, brokers and research institutions. Mr. McClurg frequently acts as export control counsel to other law firms to assist with their client matters. Mr. McClurg has advised clients in a variety of industries including alternative energy products, aerospace, body armor, firearms components, computers and software, electronic warfare, infrared devices, microelectronics, military ground vehicles, missiles, satellites spacecraft, and unmanned aerial systems. Mr. McClurg has particular experience and interest representing clients in the defense, aerospace, and satellite industries.

Mr. McClurg has also represented clients in white collar criminal matters, specifically including compliance with federal criminal laws, conducting investigations, and advising on extradition matters. Mr. McClurg's past white collar criminal work includes successfully defending a senior executive of a major defense contractor against charges involving the mishandling of export controlled defense articles. Mr. McClurg also has experience litigating particularly sensitive cases under the Classified Information Procedures Act ("CIPA"), and previously obtained a Top Secret security clearance in order to advise clients on classified matters.

Representative Work

Export Controls and Economic Sanctions

- Advising clients with daily export control compliance issues.
- Assisting with commodity jurisdiction determinations or export classifications for client products.
- Assisting clients with obtaining necessary export licenses, Technical Assistance Agreements and Manufacturing License Agreements.
- Conducting assessments of client export control procedures, and developing and assisting with the implementation of export compliance programs.
- Assisting clients with internal investigations of potential export control and sanctions violations, and preparing voluntary and directed disclosures.
- Drafting expert opinions and reports on export control laws and regulations.
- Assisting other law firms in advising their clients on investigations, disclosures, arbitration and litigation involving export controlled hardware, software and technology.

White Collar Criminal Defense

- Defending the general counsel of a major defense contractor charged in federal court with obstruction of justice and conspiracy.
- Representing a partner of a major accounting firm investigated by the Department of Justice for wire fraud and tax evasion.
- Assisting clients with removal from Office of Foreign Assets Control (“OFAC”) sanctions lists.
- Counseling clients regarding potential Foreign Corrupt Practices Act (“FCPA”) violations, and assisting with the implementation of FCPA compliance policies and procedures.
- Assisting clients in fighting extradition to and from the United States.