



Michael D. Faucette

Partner



202.719.4587



mfaucette@wiley.law



Mike counsels clients on regulatory compliance matters related to export controls, sanctions, federal firearms law, and national security policy. He has extensive experience assisting clients with the import and export of weapons systems and technology to over 80 countries; classification requests; export agreements; compliance audits; and lobbying strategies.

His practice involves an in-depth understanding of the Arms Export Control Act (AECA), the International Traffic in Arms Regulations (ITAR), the Export Administration Regulations (EAR), the Gun Control Act (GCA), the National Firearms Act (NFA), and OFAC regulations.

Mike regularly interfaces on behalf of his clients with government agencies including the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Directorate of Defense Trade Controls (DDTC), the Bureau of Industry and Security (BIS), and the Office of Foreign Assets Control (OFAC).

He is also well-versed in military technology and geopolitical affairs.

Representative Matters

- Counsels clients on the preparation of ITAR and EAR export licenses, Technical Assistance Agreements (TAA), Manufacturing Licensing Agreements (MLA), and the proper use of license exemptions.
- Advises clients on various ATF regulatory matters including federal firearms licenses (FFL), federal explosive licenses (FEL), marking variances, importation guidelines, recalls, NFA transfers, and ATF rulings and private letters.

Practice Areas

Export Controls and Economic Sanctions
International Trade
National Security

Credentials

Education

J.D., The Catholic University of America,
Columbus School of Law
M.A., American University School of
International Service
B.A. Trinity College

Bar and Court Memberships

District of Columbia Bar
Maryland Bar
U.S. Court of Appeals for the Eighth Circuit

- Manages investigations and audits of ITAR/EAR compliance programs to identify and analyze potential violations and systemic weaknesses.
- Assists clients with ATF Firearms and Ammunition Technology Division (FATD) submissions and determinations.
- Helped facilitate the temporary export of defense articles for use in the filming of over 25 major motion picture productions, including *Top Gun Maverick*.
- Assists companies in navigating the EAR and obtaining U.S. Department of Commerce BIS licenses on their behalf.
- Develops import and export strategies to maximize cost efficiency.
- Provides regulatory guidance on mergers and acquisitions and the required ATF and ITAR registration changes.
- Guides exporters through the Defense Trade Cooperation Treaties with Australia, Canada, and the United Kingdom.
- Successfully obtained an OFAC license on behalf of a client for millions of dollars in sanctioned goods.
- Determines licensing and/or brokering requirements for specific transactions and conducts screening of potential end users through OFAC's Specially Designated Nationals (SDN) list, the U.S. Department of State Watch List, and debarred and ineligible parties database.
- Prepares memoranda outlining foreign policy and national security interests in support of export licenses, agreements, and brokering prior approvals.
- Provided training on ITAR, OFAC, EAR, ATF, and other export control compliance and licensing-related matters to generate client self-sufficiency.
- Spearheaded the successful passage of an amendment to the U.S. House of Representatives' version of the FY2019 National Defense Authorization Act. The effort was conducted on behalf of major defense industry clients to promote a more efficient transfer of defense articles between licensed entities.
- Represents clients in the federal rulemaking process through submission of comments on various topics including Export Control Reform changes.

Professional Experience

- Associate, Washington, DC private law practice (2013-2019)
- Summer law clerk for the Honorable Lawrence M. Baskir, U.S. Court of Federal Claims (2012)
- Analyst Trainee, Defense Intelligence Agency (2009-2010)
- Intern, The White House, Office of Management and Budget (2007)
- Intern, Military Professional Resources Inc. (2007)

- Intern, Heritage Foundation (2006)
- Intern, Center for Middle East Peace and Economic Cooperation (2005)

Affiliations

- Executive Director, Firearms and Ammunition Import/Export Roundtable (F.A.I.R.) Trade Group (2021-Present)