



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

January 12, 2017

GUIDANCE ON THE PROVISION OF CERTAIN SERVICES
RELATING TO THE REQUIREMENTS OF U.S. SANCTIONS LAWS

This guidance document (the "Compliance Services Guidance") responds to numerous inquiries received by the Department of the Treasury's Office of Foreign Assets Control (OFAC), many from foreign companies at outreach events, relating to whether U.S. persons, including U.S. attorneys and compliance personnel, may provide certain services to covered persons relating to the requirements of U.S. sanctions laws. For purposes of this Compliance Services Guidance, "covered persons" means U.S. persons and foreign persons other than any person (i) whose property and interests in property are blocked pursuant to any part of 31 C.F.R. chapter V, including persons listed on OFAC's List of Specially Designated Nationals and Blocked Persons, or (ii) to whom a U.S. person is prohibited from exporting services or from whom a U.S. person is prohibited from importing services pursuant to any part of 31 C.F.R. chapter V.

This Compliance Services Guidance does not reflect a change in OFAC's policy with respect to the provision of these types of legal and compliance services. OFAC is issuing this Compliance Services Guidance to ensure that both U.S. and foreign individuals and entities understand that U.S. persons may provide services consistent with it.

This Compliance Services Guidance applies to the provision of services to covered persons by U.S. persons regardless of whether the U.S. person is self-employed, employed by a U.S. entity, or employed by a non-U.S. entity, and regardless of whether the U.S. person is considered "in-house" personnel or is an external attorney, consultant, or other person providing such services.

U.S. persons have been able to provide, and may continue to provide, the services below relating to the requirements of U.S. sanctions laws to covered persons:

- Providing information or guidance regarding the requirements of U.S. sanctions laws administered by OFAC, including statutes, regulations, and Executive orders. For example, a U.S. person may present on the topic of U.S. sanctions laws in a non-sanctioned third country, and a U.S. person compliance officer working at a covered person entity may advise covered person employees and covered person business partners on the requirements of U.S. sanctions laws.
- Opining on the legality of specific transactions under U.S. sanctions laws regardless of whether it would be prohibited for a U.S. person to engage in those transactions. U.S. persons may solicit information from covered persons and conduct research to make a determination as to the legality of transactions under U.S. sanctions laws provided there is no importation of services where the importation of services is prohibited by any part of 31 C.F.R. chapter V.

This Compliance Services Guidance does not describe every allowable service relating to the requirements of U.S. sanctions laws.

U.S. persons, wherever located, may not otherwise approve, finance, facilitate, or guarantee any transaction by a foreign person, including one that meets the definition of a covered person, as defined above, where the transaction by that foreign person would be prohibited by 31 C.F.R. chapter V if performed by a U.S. person or within the United States. In addition, U.S. persons, wherever located, may not otherwise engage in an exportation of services where such services are prohibited by any part of 31 C.F.R. chapter V.