

## Seth D. DuCharme

Partner

[seth.ducharme@bracewell.com](mailto:seth.ducharme@bracewell.com)

NEW YORK

+1.212.508.6165



Seth DuCharme chairs the firm's national Government Enforcement & Investigations practice. Seth draws on his experience serving in senior leadership positions at the Department of Justice to represent companies and individuals in the investigation and defense of a variety of federal and state regulatory, criminal and civil matters, including matters relating to healthcare, cryptocurrency enforcement, national security, cross border regulation, cyber security and data breach response, Foreign Corrupt Practices Act (FCPA) diligence and litigation, Foreign Agents Registration Act (FARA), export controls, sanctions compliance and anti-money laundering.

Prior to joining Bracewell, Seth served for 13 years in the US Attorney's Office for the Eastern District of New York where he held various positions, including the presidentially appointed Acting United States Attorney, the Chief of the Criminal Division and the Chief of the National Security & Cybercrime Section. From March 2019 through July 2020, Seth served on detail to Main Justice, where he served first as the Senior Counselor to the Attorney General for criminal, national security and cyber matters before attaining the position of Principal Associate Deputy Attorney General of the United States — the highest ranking career prosecutor in the Department of Justice.

In his various leadership roles at the US Attorney's Office, Seth supervised some of the Department's most important cases, including the investigation of a global financial institution for its involvement in an international bribery scheme; the indictment of a Chinese tech conglomerate; the RICO prosecution of the leader of a sex trafficking cult; the arrest and indictment of eight individuals charged with conspiring to act as illegal agents of a foreign nation; and the conclusion of a deferred prosecution agreement over a major financial institution in connection with its potential exposure for international money laundering.

### Industries

[Energy](#)

[Finance](#)

[Healthcare](#)

[Infrastructure](#)

[Technology](#)

### Practices

[Cryptocurrency & Blockchain](#)

[Data Security & Privacy](#)

[Government Enforcement &](#)

[Investigations](#)

[Incident Prevention & Response](#)

[Litigation](#)

Seth is a frequent media commentator and guest lecturer. Prior to attending law school, he began his career in law enforcement as a Deputy United States Marshal in the Eastern District. After graduating from Fordham University School of Law in 2003, Seth clerked for the Honorable Richard Owen of the US District Court for the Southern District of New York and then spent several years as an associate at a prominent international law firm in New York City. In 2021, Seth was appointed to serve on the Criminal Justice Act Panel in the Eastern District of New York.

---

## **Experience**

### **DOJ, SEC, CFTC and State Attorney General's Office investigations**

- represent clients in connection with investigations by federal criminal and civil regulators as well as state and local investigative agencies

### **Healthcare Fraud and Controlled Substances Act investigation**

- represented president of healthcare company during two-year criminal investigation in the Eastern District of New York that resulted in no charges being filed against the client

### **Cryptocurrency investigations**

- represent major company in connection with parallel federal and state regulatory and enforcement investigations

### **Private equity**

- represent client in connection with losses it sustained through an alleged pattern of deceptive practices by a counterparty

### **International Emergency Economic Powers Act**

- represented client in criminal matter in the Southern District of New York and the District of Columbia that resulted in a resolution with far less exposure than initial charges brought by DOJ

### **Cyber security, data breach and incident response**

- advised multiple corporations on best practices, policies and preparedness in securing information and coordinated responses with federal, state and local agencies in connection with computer network intrusions

## **International financial institutions**

- advising multiple clients on issues relating to compliance with US law in banking US dollar transactions and cross border transactions specifically related to sensitive and evolving regulatory matters affecting their operations

## **National security investigation**

- successfully guided client through a highly sensitive national security investigation

## **Individual federal innocence defense**

- obtained a declination from a US Attorney's Office on behalf of an individual with respect to the federal criminal investigation

## **Individual state investigation**

- obtained a dismissal of charges by a District Attorney's Office as the result of a defense investigation and innocence presentation

## **Money laundering investigation**

- represent individual in high profile money laundering case pending in the Eastern District of New York

## **Death row pro bono client**

- representing a young man on death row in Alabama and recently argued procedural matters before the Alabama Court of Criminal Appeals

## **Bank Integrity Task Force**

- created team to focus on efficient strategies to combat money laundering, sanctions, bribery and cryptocurrency violations\*

## **Computer Fraud and Abuse and Theft of Intellectual Property**

- resolved matter in which a former employee of a competitor used log in credentials to unlawfully access prior employee's computer system in an effort to benefit current employer\*

## **FCPA**

- resolved Foreign Corrupt Practices Act violations through negotiation of Deferred Prosecution Agreement\*

## **RICO**

- conducted investigation and tried case to verdict under the Racketeer Influenced Corrupt Organizations act, which resulted in neutralization of international criminal enterprise\*

## **Investigation of International Telecom Entity**

- oversaw large-scale investigation and prosecution relating to alleged bank fraud, trade sanctions and theft of intellectual property\*

## **Hacking**

- investigated and resolved hacking and business email compromise scheme that was used to unlawfully prejudice adverse stakeholders\*

## **Fraud**

- conducted investigation into conversion of funds from US government agency\*

## **Counterfeit goods**

- investigated contract fraud in US supply chain and oversaw large scale seizure of counterfeit goods\*

## **International Counterterrorism Investigations**

- conducted investigations in Europe, Africa, the Middle East and the Balkans related to terrorism financing and material support to designated foreign terrorist organizations, including conducting overseas depositions in high risk environments; obtained multiple guilty pleas and tried case to verdict\*

## **FISA Amendments Act of 2008**

- drafted appellate brief and presented oral argument relating to the constitutionality of the Act before the Second Circuit Court of Appeals\*

## **International Emergency Economic Powers Act and the Arms Export Control Act**

- investigated violations and resolved multiple cases involving the unlawful export of sensitive, controlled technologies to Asia and the Middle East\*

## **Counter Espionage**

- supervised long term investigation and resolution of case involving unauthorized agent of a foreign power\*

## **Cross Border Information Sharing**

- worked closely with UK authorities on matters relating to cyber security, data privacy and information sharing\*

## **Transnational Organized Crime**

- served alongside representatives across multiple agencies on the National Security Council to formulate and execute a coordinated effort to combat transnational organized crime\*

## Disruption and Early Engagement Program

- created and launched an interdisciplinary initiative that aggressively responded to rising incidents of violent extremism in New York City and around the nation\*

\* Work completed prior to Bracewell

---

## Credentials

### Education

- Fordham University School of Law, J.D., 2003, *cum laude*, *Order of the Coif*
- Hamilton College, B.A., 1992, *with honors*

### Bar Admissions

- New York

### Affiliations

- Law360, White Collar Editorial Advisory Board, 2022
- Disruption and Early Engagement Program, Founder and Law Enforcement Liaison
- The Learning Clinic School, Board of Directors
- American Women's Self Defense Association, Instructor

---

## Recognition

### Chambers USA

- New York Litigation: White-Collar Crime & Government Investigations, 2024

### The Legal 500 United States

- Dispute Resolution – Corporate Investigations and White Collar Criminal Defense, 2022 – 2024

### Lawdragon Inc.

- *Lawdragon 500 Leading Litigators in America*, White Collar and Investigations, including Cryptocurrency, 2024 – 2025

### Thomson Reuters

- *New York Metro Super Lawyers*, 2022 – 2023

## **Government Media Executive Group LLC**

- *City & State New York*, Law Power 100, 2021

## **Executive Office of the US Attorneys**

- Director's Award, 2018

## **Stein Scholars**

- In the Interest of Others Award, 2015

## **Federal Law Enforcement Officers Association**

- Team Achievement Award, 2013

## **Federal Bureau of Investigations**

- "Eagle" Award for Counterterrorism, 2013

## **Federal Law Enforcement Foundation**

- Prosecutor of the Year, 2012

## **US District Court for the Southern District of New York**

- Judicial Law Clerk

## ***Fordham Law Review***

- Notes and Articles Editor

---

## **Resources**

### **Environmental Justice: DOJ Enforcement Priorities**

Video

### **Bracewell Legal Bites: Government Enforcement and Investigation Trends Under the Biden Administration**

Video

### **Anatomy of a Cyber Attack: How Effective Communication in the Eye of the Storm Can Help Companies Weather Technical, Reputational and Legal Perils Webinar**

Video

### **Navigating the Rapid Tempo of Evolving Sanctions and Export Controls**

Video

## **Diving Into Ransomware**

Podcast

## **Know Your Client, Know Your Customer, Know Your Counterparty Practice**

Podcast

## **Sanctions and Export Controls**

Video

## **Navigating Domestic and Cross-Border Data Privacy Risks With Lucy Tyson and Brittney Justice**

Podcast

## **Countering the Threat of Workplace Violence**

Video

## **The Shadow Path**

Podcast

## **Cybersecurity, Data Privacy and Sanctions Developments**

Video

## **Keeping Pace With the Evolving Sanctions Enforcement Regime**

Podcast

## **Quick Hit: Search Warrants**

Podcast

## **Monitor/Sidebar Crossover Part 1: I Am The One Who Knocks**

Podcast

## **Part 1-Classified Information in Federal Criminal Litigation and the Need to Know With Sid Kamaraju**

Podcast

## **Part 2 – Classified Information in Federal Criminal Litigation and the Need to Know With Sid Kamaraju**

Podcast

## **Smarter Contracts on the Blockchain: A Conversation With Bracewell's Jeonghoon Ha**

Podcast

## **Assessing Risk in a Rapidly Evolving Digital and Physical World With Brian Mich of Control Risks**

Podcast

## **Cracking the Crypto Code: Unraveling the Complexities of Digital Finance With Amanda Wick**

Podcast

## **Cooperation Credit: What Are the Rules Now?**

Podcast

## **Monitor/Sidebar Crossover Part 2: I Am the One Who Knocks**

Podcast

## **Surviving and Thriving in a Hostile Cyber Environment**

Video

## **ESG Seminar: ESG Fundamentals and Litigation**

Video

## **Criminal Investigations and Prosecutorial Discretion in HSE**

Video

## **The Crossroads of Crypto and Cyber**

Podcast

## **Cybersecurity and Infrastructure with Phil Bezanson and Seth DuCharme**

Podcast

## **Bitcoin Mining, Renewable Energy and ESG – What You Learn Will Surprise You, With Special Guest Ben Kincaid, Founding Partner of Bridger Solutions**

Podcast

## **Biden Administration Prioritizes Increased and Broadened Anti-Corruption Enforcement**

Update



## **OFAC Ransomware Update**

Update

## **DOJ's Torpedoes Are in the Water: Be Your Own Monitor, or One Will Be Appointed for You**

Update

## **Ransomware Victims Told to Think Twice Before Paying Hackers**

Update

## **China's New Data Privacy Law Is Sweeping and Serious: Avoid the High Cost of Noncompliance**

Update

## **SEC Is Still Cyber Serious About Disclosures**

Update

## **Privilege Dwindles for Data Breach Reports**

Update

## **SEC Gets Cyber-Serious About Disclosures**

Update

## **Avoid a Fall Out With the Feds: Planning for Increased Cyber Regulations**

Update

## **The SEC Joins DOJ's War on Corporate Offenders**

Update

## **DOJ Trumpets New Multi-Faceted Cryptocurrency Task Force: What this Means for You**

Update

## **Patch Up – Log4j and How to Avoid a Cybercrime Christmas**

Update

## **Government Enforcement and Investigations Year-In-Review: The Administration Has Moved Its Pieces into Place**

Update

## **Cyber Siren Warning – When State Actors Attack**

Update

## **Amid a Minefield of Sanctions and Export Controls, Here's How to Provide Aid to Ukraine**

Update

## **KYC in a Digital World, How New Sanctions and AML Expectations Have Upped the Stakes and What You Need to Do About it**

Update

## **Sanctions and Cyber and Crypto, Oh My: The Convergence of Emerging Regulatory and Enforcement Risks Requires Nimble Responses Across Sectors**

Update

## **The US Government Has a New Stopwatch for Cyber Incident Reporting: What You Need to Know Now**

Update

## **Voyager: The Convergence of Chapter 11 and the Crypto Winter**

Update

## **TSA Revises Cybersecurity Directive for Critical Pipeline and LNG Facilities**

Update

## **Check It Once, Check It Twice: OFAC Requests Daily Screenings of SDN List for Sanctions Compliance**

Update

## **More Wiggle Room for White Hat Hackers?**

Update

## **DOJ to Companies: If You Step Up & Own Up, You Might Not Have to Pay Up**

Update

## **Bittrex, the Crypto Platform Whose Motto Is to “Trade Beyond the Trend,” Runs Into OFAC’s Trend of Strict US Sanctions Enforcement**

Update

## **SEC Notches Win in Cryptocurrency Registration Battle**

Update

## **TSA's New Cyber Directive for Freight & Passenger Railroad Carriers are the Agency's Latest Move to Keep the Nation on Track**

Update

## **DOJ to Prosecutors: Think Twice and Ask Permission Before Charging**

Update

## **Personal Devices and Messaging Platforms in the Workplace: Tips, Tactics and Best Practices for In-House Counsel**

Article

## **SEC Cybersecurity Reporting Requirements for Public Companies: Applying Old Standards to New Risks**

Update

## **Bracewell Legal Bites: What Should We Infer From the US Governments Aggressive Actions in the Crypto Industry?**

Video

## **Navigating Compliance Trends With a Roadmap to a Corporate Culture of Integrity**

Article

## **DOJ Spotlights Voluntary Self Disclosure in M&A as it Adapts to New National Security Threats**

Update

## **Lifting the Fog on the Foreign Corrupt Practices Act: Enforcement and Compliance Trends to Watch in San Francisco**

Update

## **"Export Controls Are the New Sanctions" and Other Enforcement Trends for 2024**

Update

## **The Race to Report: DOJ Announces Pilot Whistleblower Program**

Update

## **Beyond Whistleblowing: Additional Highlights From the Department of Justice at the 2024 ABA White Collar Conference**

Update

## **OFAC Expands Recordkeeping Requirements, Mandates Electronic Filings**

Update

## **Greenwashing: Emerging Compliance and Cross-Border Legal Risks**

Blog Post

## **Environmental Essentials Webinar Series – Greenwashing and Carbon Targets: A Prosecutor’s Perspective**

Video

## **Enforcement Trends 2025: Magic 8 Ball Says “Try Again Later”**

Update

## **Will FARA Get a Facelift? DOJ Proposes Updated Regulations for the First Time in 15 Years**

Update

## **Guiding Your Company Through Trump’s New Latin America Enforcement Policy**

Update

## **Trump Administration Makes First Round of Cartel Foreign Terrorist Organization Designations with Focus on Mexico and Venezuela**

Update

## **Trump Administration Efforts to Eliminate Cartels Pose Heightened Risk for Financial Institutions**

Update

---

## **Publications & Speeches**

- "Ransomware Prevention, Detection, and Preparation Best Practices," Cybersecurity Essentials for In-House Counsel, March 30, 2022.

- "Effective Tools for Responding to Governmental and Regulatory Investigations: Finding Alignment Early to Set the Table for Success," General Counsel Conference East, NY, September 22, 2021.
- "Equality Under the Law and Rule of Law," Rule of Law Symposium, May 7, 2021.
- Program on Extremism, George Washington University, October 20, 2020.
- Annual Conference of United States Attorneys, September 23, 2020.
- Department of Justice National Opioid Summit, March 4, 2020.
- "Building a Cyber Practice: Lessons Learned," *Journal of Federal Law and Practice*, February 2019.
- *Lures and Strikes: Strategies and Tactics for Investigations of Foreign Nationals*, USABook.
- "Counterterrorism in an Age of Extremism," AJC Council, November 29, 2017.
- "Disruption and Early Engagement Program for National Security Threats," Naval Post Graduate School, November 16, 2017.
- "New Tools for Risk Management in Counterterrorism," Batten School of Leadership and Public Policy, University of Virginia, November 9, 2017.
- "International Cybercrime: Navigating the Law of the Web," French-American Foundation, November 8, 2017.
- "Terrorism Prevention," National Counterterrorism Center, November 1, 2017.
- "Mitigating the Risks of the Financing of Proliferation," The Center on Law and Security, New York University School of Law, July 13, 2017.
- "Preventing the Next Tsarnaev: Cutting Edge Tools for Law Enforcement," NYPD Cyber Intelligence & Counterterrorism Conference, February 2, 2017.
- "Evolving Trends in Cybersecurity Personal Privacy, Immigration, iPhone Confidentiality vs. National Security: Where Do We Stand on the Issues Today?" New York County Lawyers Association, June 2016.
- Annual Anti-Terrorism Advisory Council Conference, National Geo-spatial Intelligence Agency, April 2016.