TURBOFAC® Research System User Guide and Search Tips

This User Guide is aimed at assisting first-time users of the TURBOFAC Research System interface. General information about TURBOFAC can be found at www.sanctions.org/turbofac/faq. Any questions about this document should be addressed to support@sanctions.org.
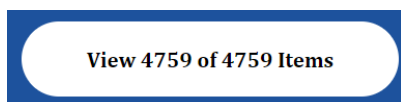
I)   Overview

For a database housing legal information, the structure and functionality of the TURBOFAC Research System is irregular, but users who take some time to familiarize themselves with the basics of how the interface functions will find it vastly more efficient than the typical legal database. Users researching sanctions law issues both common and obscure will be able to narrow the entire universe of sanctions-related documents down to a small handful of relevant documents, and all before running a single search or reading a single document.

The main characteristics that distinguish the Research System from other online legal databases, including the well-known general interest databases that contain some of the documents found in the Research System, are the following:

- The Research System contains all documents known to us that bear on the scope and operation of active sanctions provisions administered by OFAC, including hundreds that are not available on any other database.
- The contents of the Research System are curated so as to include all items deemed relevant by our sanctions experts, while avoiding clutter and duplication.
- The Research System interface features hundreds of discrete, sanctions-specific search criteria that are not available anywhere else.
- All of the search criteria are displayed on a single interface.
- The dynamic main search button displays the total number of items housed on the Research System, along with the number of items that have been filtered as a result of the search criteria selected by users.
- The individual search criteria are similarly dynamic, with users being able to see in real time the total number of items associated with each individual search criterion, along with the number of documents associated with each search criterion that have been filtered as a result of the search criteria selected by users.

II)   Understanding the Dynamic Search Button and Dynamic Search Criteria

Users who navigate to the search interface will find the main search button displaying as follows:

> **View 4759 of 4759 Items**

Each of the discrete search criteria are associated with two numbers in parentheses, as in the examples below:

> ∨ ☐ Documents Related to the **Enforcement of Primary Sanctions** Prohibitions (539/539)
>
> ☐ All **Enforcement Information "Web Posts" / "Enforcement Releases"** Published by OFAC (From Jan. 2006 – Present) (379/379) ❓

With both the main search button and the individual search criteria, the second of the two numbers represents the total number of documents available on the research system (for the main search button) or the total number of documents associated with a given search criterion. The first number represents the total number of documents that have been filtered as a result of actions taken by the user, such that those

documents will appear on the search results page when the main search button is clicked. In the example below, the user selected all documents issued or last amended in the years 2020 or 2021, and has selected the "document type" search criteria for all OFAC settlement agreements and all enforcement information "web posts."

In this example, there are 27 items total that were issued in *either* 2020 *or* 2021 that are either OFAC settlement agreements *or* enforcement information "web posts." The user can also see the proportion of all documents issued in the years 2020 *or* 2021 that correspond to the search criteria selected.

III)   The Operation of the Filtering Mechanisms Across the Broad Search Categories

The broad search categories, i.e. "Document Type," "Sanctions Program," etc., are set up such that when multiple criteria are selected *within* a broad category, the Research System treats the user as asking for documents that meet at least one of the individual search criteria applied. When criteria are selected in multiple broad categories, the Research System treats the user as asking for documents that correspond to at least one of the search criteria that have been selected in every broad category in which a selection has been made.

Find a Search Criterion Type to filter…

⌄ **Filter Items by Year in Which Document Issued (or Last Amended)**

2021 (0/84) ✖   2020 (87/449) ✖

⌄ **Filter Items by Document Type**   **EXPAND ALL IN THIS SECTION**

> ☑ Documents Related to the **Enforcement of Primary Sanctions** Prohibitions (10/539)
> ☐ **"Secondary Sanctions" Enforcement**-Related Documents; **Selected "Derivative Designation" Notices** of Concern to the Regulated Community (OFAC & State Dep't) (0/69)
> ☑ All Guidance Published by OFAC (e.g. "FAQs," "Interpretive Rulings" and "Advisories") (77/1158)
> ☐ Notable **Unpublished OFAC-Related Documents (Guidance Letters/Advisory Opinions, Specific Licenses, Court Filings, etc.)** (0/408)
> ☐ All Active **Legal Authorities** (Incl. CFR Regulatory Provisions; Loose-Leaf General Licenses; Executive Orders and Statutes) (0/2366)
☐ Selected Notable **Federal Court Opinions** Involving the Scope and Operation of Sanctions Laws (0/47) ❓
☐ **Research System Notes** (Thematic Articles and Overviews of Key Issues Published Exclusively in the Research System) (0/94)
> ☐ Notable Sanctions-Related FAQs, Guidance and Advisories Issued by the **State Department** (1/24)
> ☐ **Miscellaneous** (All Items Not Described Above) (0/84)

⌄ **Filter Items by Sanctions Program(s) to Which Item Relates** ❓   **EXPAND ALL IN THIS SECTION**

☐ Item Pertains to **All or Many Discrete Sanctions Programs** (2/314) ❓
> ☐ All Counter **Narcotics** Sanctions Programs (1/195)
> ☐ Counter **WMD Proliferation** (Non Proliferation Sanctions) (3/197)
> ☐ Counter **Terrorism** Sanctions (13/436)
> ☑ **Cuba-Related** Sanctions (50/545)
> ☑ **Iran**-Related Sanctions (35/1467) ❓

In the example above, the 87 items that would be retrieved if the user selected the main search button filtered are those that:

were issued or last amended in 2020 _or_ 2021

and

Are _either_ guidance published by OFAC _or_ documents related to the enforcement of primary sanctions prohibition

and

Pertain to _either_ Cuba sanctions _or_ Iran-related sanctions.

Note that when no criteria within a broad search category have been checked, the result is no different than it would be if all of the criteria within the category were checked. For example, if a user wants to find all documents issued in 2020, selecting "2020" in the "Document Year" drop down menu would be sufficient. One need not expand the "Sanctions Program" category and select all sanctions programs.

IV) The "Civil Enforcement Actions" Search Category

Note that the "Civil Enforcement Actions" search category differs from the others insofar as all of the other categories contain criteria that apply to *all* documents found in the research system, whereas the "Civil Enforcement Actions" search category contains search criteria that apply *only* to documents that fall under document type criterion titled "Documents Related to the Enforcement of Primary Sanctions Prohibition." What this means is that if a user makes the following selections:

The documents to be returned will consist solely of Enforcement Information Web Posts announcing OFAC-issued penalties of between $0 - $100k that involved a violation of a Cuba-related sanctions provision, an Iran-related sanctions provision, or both.

V)   Managing the Volume of Search Criteria – The "Expand All" Feature

The Research System interface contains hundreds of discrete, dynamic search criteria. We have structured the interface such that users can navigate it in one of two ways. One is to have a specific issue or set of issues in mind, and proceed to locate the relevant search criteria by clicking through to the category that appears relevant, starting with a broad category and drilling down to the specific relevant search criterion. If, for example, a user wants to locate all guidance documents that deal with the specific issue of what constitutes a "substantive alteration or enhancement" of informational materials, the selections would be made as follows:

Reset All Filters	Find 17 of 4361 Items	Collapse All Filters

Retrieve Individual Items - Search by Title

Year In Which Document Issued (Or Last Amended)

Select a year

∨   **Filter Items by Document Type**

> ☐ Documents Related to the **Enforcement of Primary Sanctions** Prohibitions (0/505)

> ☐ **"Secondary Sanctions" Enforcement**-related Documents; **Selected "Derivative Designation" Notices** of Concern to the Regulated Community (0/47)

> ☑ **All Guidance Published by OFAC**; Including "FAQs," "Interpretive Rulings" and Advisories (10/1083)

> ☑ **Notable Correspondence with/from OFAC**, Unpublished on OFAC Website (Unpublished Guidance Letters, Certain Licenses, Certain Court Filings, etc.) (7/356)

> ☐ All Active **Legal Authorities** (Incl. Regulatory Provisions; Loose-leaf General Licenses; Exec. Orders and Statutes) (0/2200)

   ☐ Notable **Federal Court Opinions** Involving the Scope of and Operation of Sanctions Laws (0/37) ❓

   ☐ **Research System Notes** –Over 500 Pages of Original Thematic Articles and Commentaries Published Exclusively in the Research System (0/78)

> ☐ **Miscellaneous** (0/69)

∧   Filter Items by Sanctions Program(s) to Which Item Pertains ❓

∨   Filter Items by the Notable Legal Issues to Which They Relate

∨ ▣ Cross-programmatic Legal Concepts; Certain Grey Areas – **Primary Sanctions Prohibitions** Only ❓

   ∨ ▣ Cross-programmatic **Issues Relevant** to all or Virtually all Primary Sanctions **Prohibition Types** (Blocking and Non-blocking) ❓

      > ▣ The **Baseline Jurisdictional Question** of Whether **Persons or Items** are **Subject to 'Primary Sanctions' Prohibitions** ❓

         ☐ The Scope of the Prohibition (Whether Express or Implied) of the **"Facilitation"** of Otherwise Prohibited Transactions (0/107) ❓

      > ▣ The Prohibition (Whether Express or Implied) Against Engaging in **Conduct that "Indirectly" Violates** Sanctions Prohibitions (Incl. Transshipments)

      > ▣ The Determination of what Transactions Ancillary, or **"Ordinarily Incident"** to, Underlying Transactions are Permissible

      ∨ ▣ The Scope and Applicability of **Exemptions** to Primary Sanctions Prohibitions (and Certain Substantively Related General Licenses) (17/193)

         ∨ ▣ The Scope of the **Exemption** for **"Information" and "Informational Materials"** (IEEPA/TWEA);

            ☐ In General (Returns All Documents Within Parent Category) (17/120)
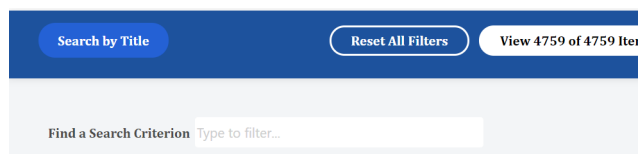
            ☐ The Scope of the Boilerplate Definitional Provision Titled "information or Informational Materials" (e.g. 510.312) (5/45) ❓

         ∨ ▣ The Notion of Information Being "Fully Created" and "In Existence" at the Time of a "Transaction"

            ☑ The Notion of "Substantive Alteration or Enhancement" (17/19)

As is evident, the "substantive alteration or enhancement" issue is so granular that the user would have needed to navigate 5 levels deep into the "Filter Items by Notable Legal Issues" search category in order to find it.
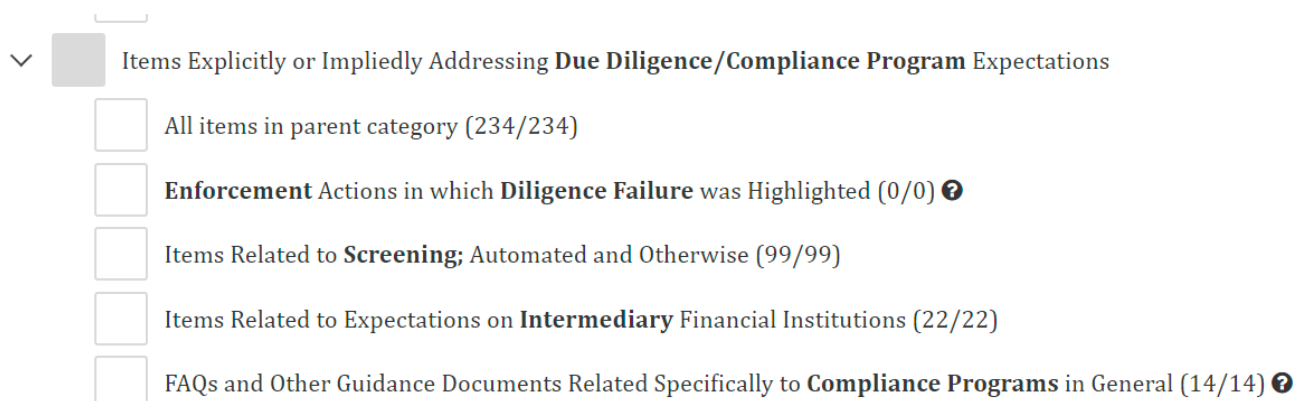
In some cases, users may find it more efficient to run searches for specific legal issues by using the "Find a Search Criterion."

VI) About "Non-Checkable Parents"

The interface contains many instances of boxes adjacent to categories of documents being greyed out, indicating that the user can expand the category, but not check the box.

As is the case with the example above, the "non-checkable parents" are typically found where the "child" search criteria corresponding to a given parent do not account for 100% of the documents in the parent category. In the example above, there is an option to select all items addressing due diligence/compliance program expectations, and below that there are four discrete sub-categories of items addressing due diligence/compliance program expectations. However, not all of the items in the parent category are also classified by one of the four more specific search criteria.

VII) Filtering by Text String

The interface has an option that allows the user to filter the entire database by test strings. In the example below, there are 6 items that (i) contain the text strings "software" and "informational materials" and (ii) belong to the "unpublished correspondence" document type category. Note the option to include or exclude from the text filter function the text of the TURBOFAC original commentary that corresponds with each government-issued document housed on the research system.

Note that the text string filter is sensitive to blank spaces. If you want to filter items that contain the word "port" you would do so by typing interest with blank spaces before and after the word. Otherwise, you will you capture items that contain words such as "supporting" and "imported."

Find a Search Criterion corresp

∧ **Filter Items by Year in Which Document Issued (or Last Amended)**

∨ **Filter Items by Document Type** COLLAPSE ALL IN THIS SECTION

☐ ∨ Documents Related to the **Enforcement of Primary Sanctions** Prohibitions (0/527)

☐ **Correspondence Between OFAC and Alleged Sanctions Violators** in Admin. Proceedings (Pre-/Penalty Notices, Finding of Violation Notices) (0/44)

⊟ ∨ **Notable Correspondence with/from OFAC**, Unpublished on OFAC Website (Unpublished Guidance Letters, Certain Licenses, Certain Court Filings, etc.) (6/370)

∨ ⊟ **Unpublished Correspondence** (Incl. Interpretive Guidance Letters; Certain License Application Responses)

☑ All (6/290)

☐ All Excluding Letters Substantively Duplicative of Others in the Research System (6/201)

☐ Internal and Intra-governmental Correspondence Only (0/26)

☐ Notable Issued **Specific Licenses** (0/47) ❓

☐ Notable OFAC/USG **Declarations, Briefs and Statements of Interest Filed** in Litigation Involving Sanctions Laws (0/20)

☐ Misc. **Notable On-the-record Statements from OFAC**/Treasury Officials (0/14)

☐ Notable **Practitioner-reported Informal Guidance** from OFAC (0/10) ❓

☐ ∨ **Miscellaneous** (0/72)

☐ Notable **Correspondence of Publicly Traded Companies with the SEC** re: OFAC Sanctions (0/37) ❓

∨ **Filter Items by Sanctions Program(s) to Which Item Relates** ❓ COLLAPSE ALL IN THIS SECTION

No filter matches found.

∨ **Filter Items by the Key Legal Issues to Which They Relate** ❓ COLLAPSE ALL IN THIS SECTION

No filter matches found.

∨ **Filter Items by Text String** ❗

| CONTAINS ⌄ | | CONTAINS ⌄ |

◉ AND   ○ OR

| informational materials | | software |

◯ Exclude TURBOFAC Commentaries from Text String Search

Apply Text String Filters

VIII)   The "Retrieve Individual Items – Search By Title" Function

As a feature independent of the search criteria that are linked to the main interface, the Research System offers users the ability to search the entire database for one or multiple documents by inputting the corresponding individual document titles.

Search by Document Title

| License No. CU-2015-324810-1 ✖ | LICENSE No. FNK-2016-328984-1 ✖ | License no. |

LICENSE No. IA-2017-347391-1

LICENSE No. IA-2016-332302-1

License No. IA-2013-303896-1

LICENSE No. IA-2013-304112-1

LICENSE No. IA-2012-299863-1

LICENSE No. IA-2012-299124-1

This function is most useful for users who know precisely what they are looking for, or otherwise just want to get a sense of which documents are included in the database. Note that specific licenses are titled "License No. [doc id]" and private interpretive guidance letters are titled either "Case No. [doc id] or, for older items, "FAC No. [doc id]".

IX)   Finding the Most Recent Items Issued or Amended by OFAC

The main search interface does not include the option to search for an item by the specific date of its release, but for subscribing users who want to access, for example, all documents issued or last amended by OFAC within the past few months, such users may run a search for all documents in the database, and then sort the results by "newest" on the search results page.