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Abstract

How economic sanctions are enforced undoubtedly affects their chances of success. Yet, to date, a lot remains unknown about how governments actually enforce their sanctions. To shed light on the ways governments enforce their sanctions, we conduct an empirically driven case study of how the lead agency for enforcing economic sanctions in the United States, the Treasury Department's Office of Foreign Assets Control (OFAC), has enforced US sanctions from 2003 to 2018. Our study begins with an empirical exploration of how OFAC's enforcement actions originate, what factors correlate with enforcement actions being taken, and what factors contribute to the financial penalties imposed as part of enforcement actions. We find that OFAC engaged in two distinct enforcement strategies during our period of analysis: a "fishing" strategy that involved taking a lot of enforcement actions and imposing small fines during the

administration of George W. Bush and a "whale-hunting" strategy that involved pursuing fewer cases but imposing enormous fines during Barack Obama's administration. Our analysis indicates that the shift in foreign policy emphasis from Cuba to Iran during the Bush administration and how that motivated new legislation to enhance penalties for violating sanctions paved the way for the OFAC to adopt its innovative whale-hunting strategy during the Obama administration. Our study also yields a wealth of new empirical insights into how the United States enforces its sanctions that can contribute to future theory-building efforts.

Acknowledgments

The authors thank Navin Bapat and the anonymous reviewers for their comments on previous versions of this manuscript.

Disclosure statement

The authors have no conflicts of interest to disclose.

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Additional information

Notes on contributors

Bryan R. Early

Bryan R. Early is associate professor of Political Science and at the University at Albany, SUNY. His research focuses on economic statecraft, shadow economies, WMD security issues, and political violence. He is the author of Busted Sanctions: Explaining Why Economic Sanctions Fail (Stanford University Press, 2015).

Keith A. Preble

Keith A. Preble is a PhD candidate in the Political Science Department at the University at Albany, SUNY. He conducts research on and has published policy works on economic sanctions.

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