



## Practices & Industries

# Anti-Corruption & Sanctions

## Overview

During the past several years, federal prosecutors and regulators have focused on and imposed significant fines for violations of the Foreign Corrupt Practices Act (FCPA), and have increasingly pursued violations of the economic and financial sanctions rules under the Office of Foreign Assets Control (OFAC), among others. Such attention has caused great interest in ensuring that companies with sales, operations or agents abroad have instituted plans to minimize their corruption and sanctions risks.

The White Collar Defense and Investigations team provides robust investigative and defense services and anti-corruption compliance advice for companies engaged in commercial activity abroad. The team also provides guidance to companies seeking to expand in foreign markets or partner with third parties to represent their interests abroad, or seeking to acquire or merge with entities abroad.

In actions arising under the FCPA, the White Collar Defense and Investigations team has represented individuals alleged to have violated the FCPA in connection with payments made by third parties and various other scenarios. Lawyers on the team have conducted internal investigations into possible FCPA violations by public and private companies regarding the development of foreign projects. They have counseled clients regarding enhancements to FCPA practices and provided training to employees. Some of these matters have included:

- Represented individuals in connection with prosecutions by the Department of Justice into alleged violations of the FCPA
- Conducted an internal investigation regarding FCPA concerns on behalf of a large public energy company considering investment in major project in Middle East
- Advised a foreign petrochemicals company developing Middle East energy project on FCPA issues and mitigation of risk
- Advised a shipping company with agents in multiple countries regarding FCPA procedures and training

The guidance offered by the White Collar Defense and Investigations group extends equally to matters implicating economic and trade sanctions under the Treasury Department's OFAC regulations, including avoiding liability for acts of third parties. The group includes professionals experienced in investigating violations of the sanctions laws.

Lawyers on the White Collar Defense and Investigations team have developed tailored anti-corruption and other compliance programs and training for companies with foreign operations. The team has advised businesses that manufacture and ship products or services abroad and crafted programs for U.S. companies expanding in foreign jurisdictions and foreign companies seeking to expand into the United States. The team also has assessed compliance programs and identified areas for improvement, assisted companies in strengthening compliance and due diligence materials, and provided training for key employees to reduce FCPA and sanctions risks.

The White Collar Defense and Investigations team has also defended companies under investigation for alleged violations of Commerce, State and OFAC regulations. For example, the group defended an alternative fuel company in an investigation related to the Iranian sanctions regulations that was resolved without action by OFAC. The group has also counseled companies on various issues arising under the OFAC rules and other economic and trade sanctions regulations.