

Services & Industries

Anti-Corruption and Sanctions

OVERVIEW

In recent years, federal prosecutors and regulators have lavished attention on and imposed eye-opening 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.

INSIGHTS

New Russia Sanctions Require Immediate Compliance Review

February 25, 2022

Day Pitney Alert

The Myths of Vote-By-Mail

May 11, 2020

Stan Twardy authored an op-ed, "The Myths of Vote-By-Mail," published in the *Connecticut Post*, *Danbury News-Times* and *USA Today*.

Parade of Corporate Horribles: Responding Ethically to a New Problem Around Every Corner

November 27, 2018

Day Pitney sponsored a program, "Parade of Corporate Horribles: Responding Ethically to a New Problem Around Every Corner," presented by the Westchester/Southern Connecticut Chapter of the Association of Corporate Counsel (ACC).

The New Reality of FARA Enforcement: What DOJ's New Priorities Mean for Your Risk Calculus

September 20, 2019

Day Pitney Advisory

Is America the new Switzerland?

July 1, 2016

On June 30-July 1 Warren Whitaker spoke at **STEP Global Congress 2016: Advising Families Across**

Generations in Amsterdam on "Is America the new Switzerland?"

NEWS

Stamford Lawyer Receives Prestigious Award for Service to the Federal Court

March 29, 2023

Day Pitney Attorney Stanley Twardy's selection as the recipient of the 2023 Richard Law Award by the judges of the District of Connecticut was featured in the *Fairfield County Business Journal* article, "Stamford Lawyer Receives Prestigious Award for Service to the Federal Court."

Conn. Federal Court Shines Light On Day Pitney Atty's Service

March 23, 2023

Day Pitney Attorney Stanley Twardy's selection as the recipient of the 2023 Richard Law Award by the judges of the District of Connecticut was featured in Law360 Pulse article, "Conn. Federal Court Shines Light On Day Pitney Atty's Service."

Connecticut Movers: Award for Twardy

March 20, 2023

Day Pitney Attorney Stanley Twardy's selection as the recipient of the 2023 Richard Law Award by the judges of the District of Connecticut was featured in the *Connecticut Law Tribune* article, "Connecticut Movers: Award for Twardy."

Stan Twardy to Be Presented With Prestigious Richard Law Award

March 15, 2023

Day Pitney Press Release

Barr's Special Counsel Pick Known For Not Caving To Politics

December 2, 2020

Stan Twardy was quoted in the *Law360* article, "Barr's Special Counsel Pick Known For Not Caving To Politics."

CONTACTS



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