

The Foreign Corrupt Practices Act: 2014 Year-in-Review

January 28, 2015

The U.S. Government continues to vigorously investigate and prosecute Foreign Corrupt Practices Act (FCPA) violations against both corporations and individuals. This past year saw two of the top-ten largest FCPA enforcement actions of all time with the amount of monetary penalties assessed reaching near-record levels. Additionally, 2014 saw numerous individuals being indicted or arrested on FCPA charges, and a significant number of such persons choosing to enter guilty pleas rather than defend the charges in court. The number of FCPA investigations in 2014 emphasizes the need for effective compliance programs, which can prevent or mitigate FCPA penalties. The benefits of FCPA compliance programs were demonstrated by a number of notable declinations announced by the U.S. Government in 2014.

The U.S. Government's enforcement activity in 2014 also demonstrated that no industry is safe from U.S. Government FCPA investigations. Enforcement activity has typically been concentrated in certain industry sectors, such as the technology/communications, energy, healthcare and aircraft sectors, and these sectors continued to receive attention from the U.S. Department of Justice (DOJ) and the U.S. Securities and Exchange Commission (SEC) in 2014. However, this past year also saw both the DOJ and SEC broaden their traditional focus by bringing actions against companies from industries not usually associated with FCPA enforcement, such as the retail, manufacturing, and consumer good sectors.

This past year also saw the increase in cooperation among global anti-corruption enforcement agencies, as well as increased foreign government enforcement of their own anti-bribery laws. Authorities in Brazil, China and the United Kingdom each pursued enforcement

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actions under their domestic legislation last year, while governments around the world worked together to gather evidence and provide assistance in ongoing anti-bribery investigations.

Based on the U.S. Government's FCPA activity over the past year, 2015 will likely be another busy year for FCPA enforcement. Wiley Rein's multi-disciplinary FCPA Practice has authored an article, "The Foreign Corrupt Practices Act: 2014 Year-in-Review," which examines the key developments in FCPA enforcement in 2014 and looks ahead to 2015. That article can be accessed [here](#).