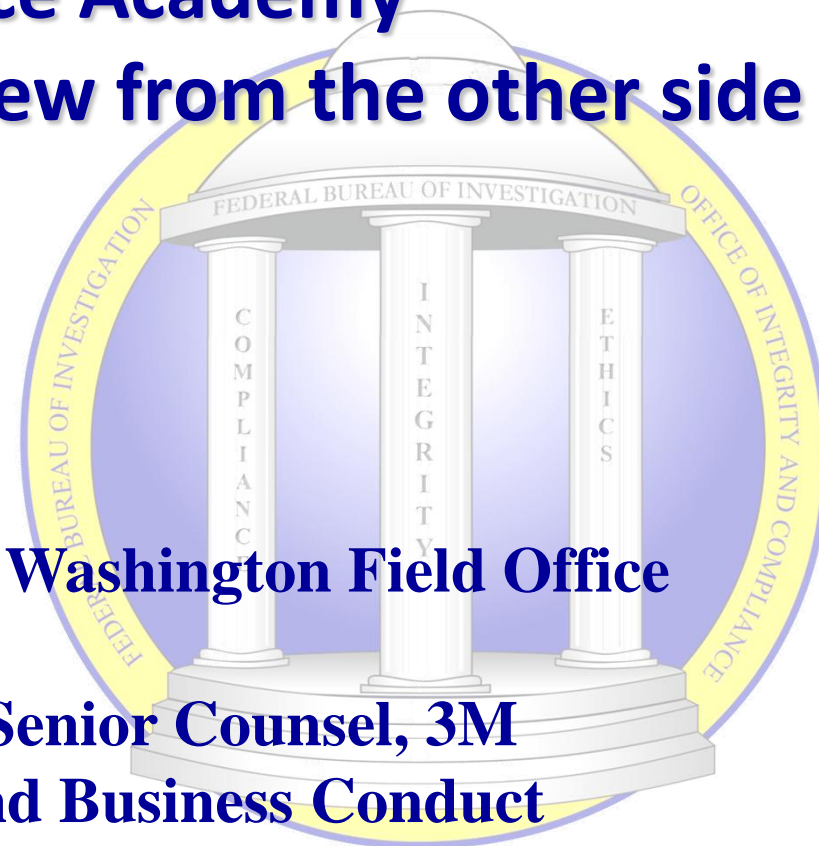


FBI Compliance Academy

FCPA Investigations: A view from the other side



SSA Paula L. Ebersole, FBI, Washington Field Office

**Christopher M. Favo, Senior Counsel, 3M
Office of Compliance and Business Conduct**

August 6, 2012



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Special Guests



Chuck Duross

Deputy Chief,

Jason Jones,

Assistant Chief

James Koukios,

Assistant Chief,

Fraud Section

Criminal Division

Department of Justice



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Topics for the Compliance Officer

- FCPA investigations – How they start and who investigates?
- What is a bribe?
- Common FCPA Related Questions
- Industry Wide Investigations– How does cooperation impact the outcome?
- Compliance – Things done right



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FCPA Case Originations

- Voluntary Self Disclosures
- Mergers and Acquisitions
- Undercover investigations
- Whistleblowers
- Foreign partners
- Tips from U.S. embassies
- Anonymous tips
- Emails
- Pro-active investigations on other matters



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Who Does the Investigations:

- DOJ Fraud Unit
 - Local United States Attorney's Offices
- FBI
- Immigration and Customs Enforcement
- Internal Revenue Service
- Office of Foreign Assets Control
- Office of Export Enforcement
- Foreign Partners
- Securities and Exchange Commission (civil)



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Bribe

- An offer, payment, promise to pay, or authorization of the payment of any money, or offer, gift, promise to give, or authorization of the giving of anything of value to any foreign official for purposes of--
 - (A) (i) influencing any act or decision of such foreign official in his official capacity, (ii) inducing such foreign official to do or omit to do any act in violation of the lawful duty of such official, or (iii) securing any improper advantage; or
 - (B) inducing such foreign official to use his influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality,in order to assist in obtaining or retaining business for or with, or directing business to any person
- Payment must be made with corrupt intent



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Common Form of Bribe Payment



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Common Form of Bribe Payment Found at Rep. Jefferson's Residence



GOVERNMENT EXHIBIT



GOVERNMENT EXHIBIT 20-45L 1-07CR209



GOVERNMENT EXHIBIT 20-45X 1-07CR209



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Other Forms of Bribe Payments



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Other Forms of Bribe Payments



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