

What Is the Foreign Corrupt Practices Act (FCPA)?

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The **Foreign Corrupt Practices Act (FCPA)** is a federal statute prohibiting United States citizens and entities from engaging in corruption. It has two main elements: (1) anti-bribery provisions, forbidding the giving or offering of anything of value to a foreign government official for business and (2) accounting requirements, establishing mandatory practice guidelines for companies to maintain accurate records and internal controls. The FCPA is enforced by the Department of Justice (DOJ) and the Securities and Exchange Commission (SEC).

The FCPA covers those with “formal ties” to the United States and those who take action in furtherance of a violation while in the United States, targeting the giver of bribes. The FCPA is complemented by the Foreign Extortion Prevention Act (FEPA) that penalizes the receiver of a bribe, or the foreign officials who benefit from corruption.

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