

Ralph Caccia and Dan Pickard Discuss Trends in FCPA Self-Reporting

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Ralph J. Caccia, partner and co-chair of Wiley Rein's White Collar Defense & Government Investigations Practice, and Daniel B. Pickard, partner and co-chair of Wiley Rein's Foreign Corrupt Practices Act Practice, were featured in a *Risk & Insurance* article following a June 9 webinar by Wiley Rein titled "The Foreign Corrupt Practices Act: Enforcement Priorities of 2016." In the webinar, Mr. Caccia and Mr. Pickard discussed the government's enhanced efforts to provide leniency to companies that proactively disclose FCPA violations or exposures. Additional webinar speakers included Wiley Rein partner Gregory M. Williams and associate Brandon J. Moss.

According to the article, the U.S. Department of Justice increased its FCPA staffing this year and the FBI expanded its presence in this area in 2015. Although the government has intensified its scrutiny in a wide range of industries, companies that seek to comply with FCPA rules by coming forward before an investigation begins can increase their chances of being treated with leniency. The FCPA prohibits U.S. companies and individuals from offering anything of value to foreign officials in an attempt to maintain business.

Mr. Caccia said, "The government is putting their money where their mouth is in terms of their intention to aggressively investigate and prosecute these cases." Industries that "catch the eye" of the government include pharmaceutical, health care, telecommunications, and financial services companies, he said. "The government is upping the ante in terms of what they expect to see in the way of cooperation in these cases," Mr. Caccia added. "They want companies to realize these violations can't be viewed as simply the cost of doing business anymore, but that individuals could possibly go

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to jail.”

Mr. Pickard recommended that corporations increase internal documentation to address what’s being done correctly, rather than focusing solely on things that have gone wrong. “It is undeniable we will see compliance changes matching enforcement trends,” he said. He also pointed out that corporations are spending more capital on compliance infrastructure, such as hiring a chief compliance officer.

To read the complete article, please [click here](#).