

Wiley Writes Chapter on FCPA Risks in Global 5G Telecom Rollout

ATTORNEYS CONTRIBUTE TO NEW BOOK ON CONSEQUENCES OF GLOBAL CORRUPTION

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Washington, DC – Wiley Rein LLP has authored an important and insightful chapter, “Risks Under the U.S. Foreign Corrupt Practices Act for 5G Telecom Implementation” in a new book published by TRACE, a globally recognized anti-bribery business association. Print and Kindle versions of the book are available through Amazon.

The book – *Corrosive: Corruption and its Consequences* – is a collection of case studies and different perspectives on bribery and corruption from industry, academic and advocacy leaders. It is edited by TRACE’s President, Alexandra Wrage, and Director of Compliance Resources, Illya Antonenko.

“Understanding and countering corruption is more important than ever in the current economic climate, where resource scarcity and the perception that governments are distracted will almost certainly encourage more financial crime,” Ms. Wrage said.

The Wiley chapter explores the nexus between 5G innovation and government actors, and the resulting risk of FCPA enforcement actions against telecom industry players and their executives. The first section outlines the relationships between private and public actors in the 5G ecosystem. The second section provides an overview of FCPA enforcement actions in the telecom industry over the past two decades. The chapter offers practical compliance tips and guidance. The chapter was authored by firm partners Kevin B. Muhlendorf and Megan L. Brown, and associate Madeline J. Cohen.

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As the world races to deploy 5G, competition and government discretion over market entry, equipment purchases, R&D money, and infrastructure projects may create pressure to cut corners or take risks. “The challenges of 5G implementation will require companies to reevaluate their FCPA risk and carefully consider how they control for such risk given the intensive infrastructure and technology spending in countries known for corruption,” the Wiley authors conclude. “Only by testing, analyzing and improving their programs can companies ensure that they are in the best position to limit FCPA exposure, catch red flags, and obtain a favorable resolution in the event of an investigation.”

Mr. Muhlendorf, a member of the Wiley’s White Collar Defense & Government Investigations Practice and co-chair of the FCPA practice, previously served as an Assistant Chief at the DOJ Fraud Section and Senior Counsel at the SEC Division of Enforcement. Ms. Brown is a member of the firm’s Telecom, Media & Technology Practice (TMT) and previously served as counsel to the U.S. Attorney General. Ms. Cohen is an associate in Wiley’s White Collar Defense & Government Investigations Practice.

Wiley continues to be the preeminent TMT Practice in the United States, representing the industry’s leading companies, and new and innovative players across the TMT spectrum. The firm is a demonstrated thought leader on 5G issues, having published its own *5G and Government: A Regulatory Handbook*, and regularly hosting podcasts on critical 5G issues. Wiley’s elite White Collar Defense & Government Investigations Practice advises Fortune 500 companies, small and medium-sized companies, not-for-profits, business executives, and public officials facing white-collar criminal and civil government enforcement actions and investigations.