

PUBLICATIONS

The FCPA and AML Statutes: The Prosecutor's Combined Weapon of Choice

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Although criminal prosecutions under the Foreign Corrupt Practices Act of 1977, as amended, 15 U.S.C. §§ 78dd-1, *et seq.* (FCPA) and the U.S. anti-money laundering (AML) laws have developed differently over the years, a review of recent enforcement actions reveals that prosecutions under these criminal schemes have started to converge. It is no secret that the Department of Justice (DOJ) and the Securities and Exchange Commission (SEC) have placed increased emphasis on prosecutions for FCPA and AML violations. What *is* new, however, is that the DOJ has started to use the statutes in tandem to ensure the success of its criminal prosecutions. Some of the more recent cases over the past 12 to 18 months demonstrate that the dual use of these statutes has been successful in meeting this goal.

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