

Sergio Acosta Comments on SEC's Expanded Reading of "Anything of Value" Under FCPA

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Sergio E. Acosta was quoted in the article "SEC Testing Boundaries of Anti-Bribery Authority," published in *CQ Roll Call* on August 31, 2015. The article discusses the U.S. Securities and Exchange Commission's (SEC's) increasingly aggressive efforts to prosecute defendants for bribery under the Foreign Corrupt Practices Act (FCPA). The FCPA, as noted in the article, "prohibits companies from improperly influencing foreign officials with 'anything of value[.]'" Under SEC Chairwoman Mary Jo White, the agency has taken a more expanded — and controversial — view of the term "anything of value." The SEC recently settled an FCPA case against a bank, which the agency alleged had improperly given "student internships to relatives of foreign government officials affiliated [with a] sovereign wealth fund in hopes of retaining the fund's business." Notes Mr. Acosta, "[t]he agency is 'pushing the envelope as of late' as it tries to unmask corruption."

Mr. Acosta is an experienced criminal litigator and investigator. He has represented companies, government entities and individuals in matters involving the FCPA, complex financial fraud, criminal tax violations, export regulations and criminal forfeiture. His practice also encompasses corporate governance, corporate internal investigations, regulatory enforcement, commercial litigation and gaming law.

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