

## **Foreign Corrupt Practices Act**

The Foreign Corrupt Practices Act (FCPA) is a federal law that prohibits the bribery of foreign officials. The University of San Diego is committed to complying with the FCPA, and expects all members of its community to comply.

The FCPA defines bribery as providing anything of value to a foreign government official in order to obtain an unfair advantage and applies to University employees and anyone working on the University's behalf, including vendors and consultants.

Under the FCPA, the term "foreign official" can mean:

- Administrators, faculty and employees at foreign universities
- Airport employees and local customs officials
- Members of government committees or panels
- Public dignitaries
- Employees of a public international organization

Anything of value that's given to a foreign official could violate the FCPA. Some examples of payments or gifts that might be considered a bribe under the FCPA are:

- Providing travel, meals, entertainment, or gifts for friends or relatives of a foreign official
- Providing training, scholarships or internships for friends or relatives of a foreign official
- Contracting with an entity owned or recommended by a foreign official or by his or her family members
- Conferring titles of honor

In order to be considered a bribe under the FCPA, the offer, payment, promise or gift must be intended to cause the recipient to misuse his or her official position. Payments for legitimate services are acceptable, but everyone in the University community should take care to avoid even the appearance of a corrupt purpose.

Compliance with the FCPA is also consistent with and required by the University's Policy Prohibiting Illegal, Dishonest or Fraudulent Conduct, which can be found here: <http://www.sandiego.edu/legal/policies/community/institutional/conduct.pdf>.

For further guidance on how the FCPA may apply to your University activities or conduct, please contact the Associate Provost for Research and Development.