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By KJ NARA Date 12/15/11

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Henry C. Stockell, Jr. (Signed) Henry C. Stockell, Jr.
Acting General Counsel

Reply to a Letter from Congressman Harrington

Representative Harrington, Chairman of the House Subcommittee on International Development, has written you to suggest that current anti-bribery legislation include prohibitions on foreign payments made with a political (as opposed to commercial) motivation.

Your response states that both H.R. 3815 and S. 305 would prohibit foreign payments to foreign public officials or political parties to secure a direct business benefit or to influence laws or regulations of a foreign country. This type of foreign payment, you indicate, has been made illegal in almost all countries in the world.

By contrast, payments made to foreign political parties for broader purposes which are not tied to a specific business benefit are legal in many countries where U.S. companies do business. Your reply indicates that Mr. Harrington's proposal would create numerous problems related to the extraterritorial application of U.S. law and enforcement. These problems, you state, may outweigh the benefits sought to be achieved.

Recommendation: That you sign the letter at Tab A.

General Counsel: ^{BBP}BBPalmer:dlw 5/26/77

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