

INTERNATIONAL FINANCIAL CRIME REGULATION

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Office hours: Tuesdays 6-8 p.m, and by appointment. I can be reached during office hours at: <https://ufl.zoom.us/j/4821532024>.

COURSE DESCRIPTION:

This class focuses on international economic crime and recent efforts to fight it. It covers five areas: Jurisdiction, bribery, fraud, money laundering, and international terrorist financing. We will use federal criminal law as our primary tool for understanding the core issues and will expand from there to provide an international perspective. By the end of the course, students will have a good working knowledge of several core areas in which American and international law enforcement seeks to deter, detect, and punish international financial crime.

This class includes at least 28 hours (1400 minutes) of recordings, quizzes, tests, or other instruction that is directly supervised by the instructor. You should also plan to spend at least 60 hours (3600 minutes) on out-of-class work, primarily reading, studying, and working through any practice problems from the reading.

COURSE OBJECTIVES AND LEARNING OUTCOMES:

By the end of this course, students will be able to:

- Understand jurisdictional principles that both enable and limit the capacity of law enforcement to detect, deter, and punish economic crimes.
- Understand the elements of core financial crimes, including bribery, extortion, money laundering, and international terrorist financing.
- Achieve a basic understanding of procedural mechanisms by which international financial crime is detected, investigated, prosecuted, and punished.
- Identify important limitations on these procedural mechanisms and discuss the political and financial costs and benefits to enhancing such mechanisms.
- Be familiar with the major international organizations involved in the regulation of international financial crime, including the scope and limitations of their powers.
- Consider possible means for better integration of the international regulatory system and

understand the costs and benefits of any effort to achieve better integration.

REQUIRED TEXTBOOK:

The required text for this course is Abrams, Beale, Klein & Ouziel, Federal Criminal Law and Its Enforcement (8th ed.), as well as additional reading materials that will be posted on the Canvas course page.

COURSE SCHEDULE AND IMPORTANT DEADLINES:

This is a 9 week, 2 credit course with a total of 24 assignments.

Each assignment consists of a set of readings, a series of short lectures, and quizzes. Quizzes are open book and are graded pass/fail. To pass, you need to score an 80% or better. You have two opportunities to complete the quiz before it registers as a fail. Quizzes are not timed.

You must complete all of these components during the week in which they are assigned to receive full credit for the assignment. The assignment list below gives the date on which each week of assignments begins. You may complete them at any time during that week. Please note that Week 9 is only 5 days long due to the scheduled end of the semester.

I will also host a non-mandatory live Q&A session via Zoom every Tuesday night from 8:00-9:00 pm, excluding weeks 1 and 7. The Zoom link is here: <https://ufl.zoom.us/j/4821532024>. You are not required to attend any of these sessions.

Instead of a final exam, you will be given three one-hour exams, each of which is of equal weight. You may take the exam at any time during the week in which it is assigned (see below). Once you open the exam, you have two hours to complete it. The exams consist of multiple choice questions and are open book and open note.

The exams will be given in Week 4, Week 7, and Week 9. Each exam will cover only the assignments given since the prior exam. If an exam is listed prior to a given week's assignments (as in Week 4), it will not cover those assignments. If it is listed after those assignments (as in Weeks 7 and 9) it will cover those assignments.

CLASS SCHEDULE AND ASSIGNMENTS

Week 1 (Oct. 13)

Establishing Jurisdiction

1. Bases for federal jurisdiction FCL 17-25
2. *Lopez, Morrison* and *Raich*: Commerce clause limits FCL 26-35
3. The Foreign Commerce Clause and Extraterritorial Jurisdiction FCL 63-76

Week 2 (Oct. 20)

4. International jurisdictional challenges (Canvas)

Bribery, Domestic and Foreign

5. Bribery and Gratuities pt. 1 FCL 157-173
6. Bribery and Gratuities pt. 2 FCL 174-192

Week 3 (Oct. 27)

7. Foreign Corrupt Practices Act pt. 1 FCL216-231
8. Foreign Corrupt Practices Act pt. 2 FCL231-246
9. OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (Canvas)

Week 4 (Nov. 3)

EXAM # 1

Extortion

10. Force, Violence, or Fear pt. 1 FCL 247-259
11. Force, Violence, or Fear pt. 2 FCL 259-272

Week 5 (Nov. 10)

12. Under Color of Official Right FCL 272-291
13. Interstate and International FCL 291-307 and Forbes FEPA article (on Canvas)

Fraud

14. Scheme to Defraud FCL 309-325

Week 6 (Nov. 17)

15. Honest Services Fraud pt. 1 FCL 325-349
16. Honest Services Fraud pt. 2 FCL 349-361
17. What is Property? FCL 361-376 (through n. 10)

Week 7 (Nov. 24)

18. Use of the Mails FCL 378-389
19. Fraud in an international context FCL 376-378 & FTC report on US SAFEWEB Act (Canvas)

EXAM # 2

Week 8 (Dec. 1)

Money Laundering

20. Currency reporting offenses FCL 553-573
21. Money Laundering under § 1956 pt. 1 FCL 573-594
22. Money Laundering under § 1956 pt. 2 - International Transportation FCL 594-601

Week 9 (Dec. 8)

23. Money Laundering under § 1957 FCL 601-620
24. Financial Action Task Force (FATF) Recommendations on International Money Laundering and Terrorist Financing (Canvas)

EXAM # 3

CLASS DEMEANOR EXPECTATIONS:

Students are expected to act in a respectful, professional, and courteous manner when interacting with classmates, faculty, UF staff, and any others involved with the running of the course.

During Q&A sessions, please come with specific questions about the reading, lectures, or assignments. While I enjoy speaking with each of you, I also want to make sure that these sessions enhance your classroom experience. If you wish to speak to me concerning other matters, shoot me an email and we can set up a time to talk.

CLASS ATTENDANCE & MAKEUP POLICIES:

Students are expected to complete all assignments for this course. Because this is an asynchronous course, I do not anticipate that any students should need to “miss” any lectures. I also understand that conflicts may arise that require you to delay completion of a given assignment or assignments to some degree. If this is the case, reach out to me and I will work with you to resolve the situation. The following categories of conflict fall within the category of “excused” delays. With respect to other reasons, discuss them with me and I will do my best to accommodate your situation (if possible and the request is reasonable).

Observance of Religious Holidays:

UF Law respects students’ observance of religious holidays. Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith. Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence. Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

Absence Due to Illness:

A student who is absent from class or misses any required class-related activity because of illness should contact their instructor, if feasible, as early as possible prior to the missed class or activity. Students shall be permitted a reasonable amount of time to make up the material or activities covered during an excused absence. Students should contact their college by the deadline to drop a course for medical reasons. Students can petition the Dean of Students Office to drop a course for medical reasons. The university's policy regarding medical excuse from classes is maintained by the Student Health Care Center.

EVALUATION METHODS & GRADING POLICY:

Class participation accounts for 25% of your grade. Class participation consists of your timely completion of assignments (reading, lectures, quizzes). Successful completion of these assignments will result in full credit for class participation.

Your three exams count for the remaining 75% of your grade (25% each).

Grade Scale & Grading Policies:

<u>Grade</u>	<u>Points</u>
A	4.0
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D+	1.33
D	1.00
D-	0.67
E	0.00

The law school grading policy is available at <https://www.law.ufl.edu/uf-law-student-handbook-and-academic-policies>. Note that the mandatory mean does not apply to MSL or LLM students.

EXAM DELAYS AND ACCOMMODATIONS:

The law school policy on exam delays and accommodations can be found [here](#).

STATEMENT RELATED TO ACCOMODATIONS FOR STUDENTS WITH DISABILITIES:

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean Brian Mitchell. Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available [here](#).

STUDENT COURSE EVALUATIONS:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

COMPLIANCE WITH UF HONOR CODE:

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments.

UF students are also bound by The Honor Pledge which states, “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: ‘On my honor, I have neither given nor received unauthorized aid in doing this assignment.’” The Conduct Code specifies a number of behaviors that are in violation of this code and the possible sanctions. [Click here to read the University Conduct Code](#). If you have any questions or concerns, please consult with the instructor in this class.

RECORDINGS:

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions,

student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student.

RESOURCES:

Wellness:

U Matter, We Care: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.

Counseling and Wellness Center: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.

Student Health Care Center: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).

GatorWell Health Promotion Services: For prevention services focused on optimal wellbeing, including Wellness Coaching for Academic Success, visit the [GatorWell website](#) or call 352-273-4450.

Academic & Tech Support Resources:

E-learning technical support: Contact the [UF Computing Help Desk](#) at 352-392-4357 or via e-mail at helpdesk@ufl.edu.

On-Line Students Complaints: [View the Distance Learning Student Complaint Process.](#)