

**FROM RUSSIA WITH RICO (AND PATRIOTISM TOO):**  
THE BROAD JURISDICTION OF THE UNITED STATES OVER CIVIL  
AND CRIMINAL CASES INVOLVING MONEY LAUNDERING

Anti-Money Laundering Workshop  
Moscow  
April 8, 2003

# I. Patriot Act: Introduction

## II. Provisions against money laundering which already existed before the passage of the Patriot Act

A. RICO

B. reporting requirements for financial institutions

## III. Changes introduced by the Act

A. toughened regulation of financial institutions

B. new criminal penalties

C. expanded U.S. jurisdiction

## IV. Ramifications for Russian businesses

## IV. Patriot Act: Conclusion



# I. INTRODUCTION

## Title I

- enhanced domestic security against terrorism
- counterterrorism fund
- increased funding for technical needs of the FBI
- issues of military assistance in emergencies
- network of electronic crime task forces
- amended International Emergency Powers Act

# Title II

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- enhanced government's powers in conducting surveillance
- amended provisions of the Foreign Intelligence Surveillance Act of 1978
- expended investigatory powers of the FBI
- amended Communications Act and Title 18 of the U.S. Code
- amended procedural standards for conducting judicial actions in relation to terrorism
- amended Trade Sanctions Reform and Export Enhancement Act of 2000

# Title III

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- combating international money laundering activities



# Title IV

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- protection of the U.S. borders
  - U.S. Department of State
  - Immigration & Naturalization Service
- modified *habeas corpus* and judicial review procedures
- amended Immigration and Nationality Act of 1952

## Title V

- removed obstacles to investigating terrorism

## Title VI

- aid to victims of terrorist activities

## Title VII

- increased information sharing between federal, state and local law enforcement agencies

# Title VIII

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- strengthened criminal laws against terrorist activities
- expanded criminal jurisdiction of U.S. courts to certain crimes committed abroad
- changed statutes regarding protection from nuclear and biological threats



## Title IX

- improved intelligence procedures

## Title X

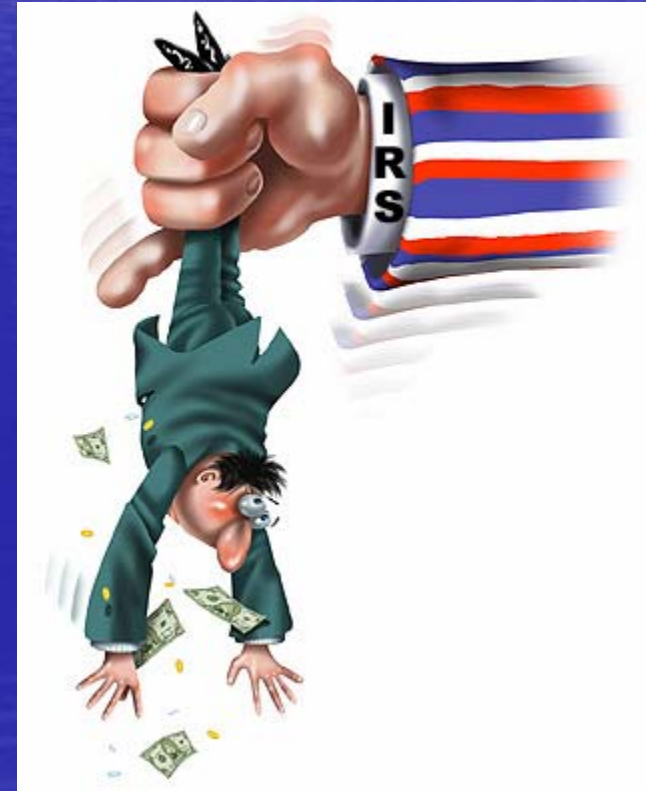
- miscellaneous technical and procedural issues

## II. Provisions against money laundering which already existed before the passage of the Patriot Act

A. RICO – the Racketeer Influenced Corrupt Organizations Act

B. reporting requirements for financial institutions

\* Bank Secrecy Act/Currency and Financial Transactions Act



### III. Changes introduced by the Act

- A. toughened regulation of financial institutions
- B. new criminal penalties
- C. expanded U.S. jurisdiction



Problem:

# MONEY LAUNDERING



Solution:

# SUE THE CORPORATE ORGANIZERS



Problem:

**MONEY LAUNDERING**

Solution:

**SUE THE BANKERS**



## **I. RICO: JURISDICTION**

- A. □□□□□ RICO: JURISDICTIONct  
Matter

## **II. RICO**

- A. Enterprise and Person  
B. "Conduct or Participate" and "Continuity"  
C. Pattern of Racketeering Activity



1. mail and wire fraud
2. money laundering
3. transactions with property derived from illegal activity
4. violation of the travel act

## **III. LITIGATION IN THE UNITED STATES**

## **IV. RICO: CONCLUSION**

**General Advice:** DO NOT ENGAGE IN  
MONEY LAUNDERING



**Specific Advice:** IF YOU DO ENGAGE IN MONEY LAUNDERING:



- ✓ Do not engage in Dollar denominated transactions which are wired through banks in the United States
- ✓ Do not make telephone calls or send faxes to the United States
- ✓ Do not travel to the United States
- ✓ Get a good lawyer

A serene background image featuring a clear blue sky with wispy white clouds at the top. Below the sky is a vast, deep blue ocean. A bright sun is positioned on the left side of the horizon, creating a shimmering white reflection that extends across the water's surface. The overall scene is peaceful and expansive.

**THANK YOU!**