Brian Markley, Chris Arkin and Jennifer Potts Author Global Investigations Review Chapter on Anti-Bribery and Corruption Controls in the Digital Asset Economy

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Cahill partner Brian Markley and counsel Chris Arkin and Jennifer Potts authored a chapter in *Global Investigations Review*'s "Americas Investigations Review 2027" examining how digital asset businesses should adapt their anti-bribery and corruption ("ABC") controls to address the unique challenges of blockchain-based value transfers.

The article explains that while the core ABC inquiries remain the same — who received value, why it moved, who approved it, and what diligence was performed — the form of value, the approval path, and the evidence needed to withstand scrutiny have fundamentally changed. Value in the digital asset economy can move through on-chain payments, token grants, airdrops, liquidity incentives, treasury disbursements, smart contracts, and DAO governance votes, often bypassing traditional vendor-payment channels and approval systems.

The authors propose a practical framework centered on the creation of an ABC diligence file that includes records that go beyond the usual categories of documents relevant to ABC controls, organized to explain the transaction. They also emphasize that companies should test their ability to retrieve and compile these materials in advance, before a bank review, audit inquiry, M&A process, or investigation creates time pressure.

Read the full chapter.

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