

UT LAW

**GOVERNMENT
ENFORCEMENT
INSTITUTE**

2022

**FCPA:
A LOOK AT THE
PAST YEAR**

Lisa Miller

Deputy Assistant Attorney General,
U.S. Department of Justice
Washington, DC

Daniel S. Kahn

Partner, Davis Polk & Wardwell LLP
New York, NY

Jason Rose

Senior Counsel, U.S. Securities and
Exchange Commission
Fort Worth, TX

Jim Letten (Moderator)

Partner, Butler Snow LLP
New Orleans, LA

1

Starting off at 40,000 feet:

A look at 2022 so far in
FCPA enforcement

How busy—*or NOT*
in terms of Resolutions
has 2022 been?

2

HAS THE ADMINISTRATION CAUSED US TO LOOK FOR A SURGE—OR AT LEAST AN INCREASE?

- December 2021, the Biden administration announced a sweeping new anti-corruption strategy.
- “United States Strategy on Countering Corruption” (the SCC)
- It followed... President Biden’s declaration in a June 3, 2021 memorandum...”...corruption enforcement is a “core United States national security interest.”
- Department of Justice (DOJ) announcements made throughout the fall to “surge resources” for corporate enforcement, revise its corporate criminal enforcement policies, and adopt a new stance on corporate recidivism.

3

Is 2022 Up or Down?

Not Many Big cases (So far)...What does that mean?

Factors?

Covid 19?

Transition lag?

Other Factors?

4

3 Landmark (or noteworthy) Resolutions

5

GLENCORE

FCPA/CONSPIRACY
MARKET MANIPILATION

Over \$1Billion in fines

Primary takeaways?

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: FCPA: Key Updates and Strategic Responses

Also available as part of the eCourse

[FCPA: Key Updates and Strategic Responses \(2022\)](#)

First appeared as part of the conference materials for the
8th Annual Government Enforcement Institute session

"FCPA: Key Updates and Strategic Responses"