

**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 MANIPULATION

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

First appeared as part of the conference materials for the  
8<sup>th</sup> Annual Government Enforcement Institute session  
"FCPA: Key Updates and Strategic Responses"