

## Deputy Attorney General delivers keynote at ACI FCPA conference

December 11, 2025 | Client Update | 6-minute read

On December 4, Deputy Attorney General Todd Blanche and other DOJ officials participated in the annual ACI FCPA conference in Washington DC, outlining key principles to corporate enforcement and FCPA investigations and prosecutions. The remarks provide insight into how this DOJ is approaching FCPA enforcement and corporate enforcement more broadly.

The American Conference Institute hosted its 42nd Annual Foreign Corrupt Practices Act (FCPA) and Global Anti-Corruption Conference on December 3–4, 2025, a landmark FCPA conference held in Washington DC each year. Among the various speakers were members of the U.S. Department of Justice’s (DOJ) senior leadership team, including Deputy Attorney General (DAG) Todd Blanche, the Acting Assistant Attorney General and Head of the Criminal Division Matthew Galeotti, Chief of the DOJ’s FCPA Unit David Fuhr, and Acting Chief Counselor for the Criminal Division Keith Edelman. The DOJ officials’ remarks addressed the Department’s updated policies, provided an overview of the Department’s investigative and enforcement activities over the past year, and underscored DOJ’s mission and guiding principles. Notably, DAG Blanche also announced a forthcoming DOJ-wide corporate enforcement policy that will add consistency and transparency to how all components of DOJ handle such cases.

### DAG Blanche’s keynote address

DAG Blanche’s keynote address highlighted five key principles guiding DOJ’s core mission and corporate enforcement activities. These principles are: (1) prioritizing individual accountability; (2) pursuing corporate criminal resolutions only where there is sufficient admissible evidence to prove a case beyond a reasonable doubt; (3) providing cooperation credit to companies that provide meaningful assistance to DOJ’s investigation; (4) running efficient and disciplined investigations; and (5) ensuring that companies follow DOJ’s internal chain of command and not try to escalate issues to senior leadership “out of order.” Taken together, these principles emphasize DOJ’s focus on streamlining investigations and on cases with clear evidence of wrongdoing. Consistent with the Criminal Division’s [updated Corporate Enforcement Policy, released in May of this year](#), DOJ is stressing both the carrots and sticks for voluntarily disclosing and cooperating.

Notably, DAG Blanche also announced that, in the coming weeks, the DOJ expects to issue a corporate enforcement policy that will apply to criminal cases across the Department. The purpose of this forthcoming policy will be to promote consistency and transparency of prosecutorial conduct by all DOJ components, not just the DOJ Criminal Division, which handles a large portion of DOJ’s corporate cases. This is an important development.

With respect to the FCPA, DAG Blanche emphasized two points from the [new FCPA Guidelines, released on June 9, 2025](#). The first is that the DOJ will close investigations—as they do in the normal course of all prosecutorial work—based on factors like the evidence, the age of the conduct, and other case management considerations. The second is that the updated guidelines are internal tools for prosecutors to follow, and that companies and individuals should not expect to use these guidelines as “shields” for criminal conduct. Overall, DAG Blanche stated that the DOJ will continue to enforce the FCPA within the bounds of what the statute permits, but that *de minimis* or low-value bribes, as well as customary business practices and schemes lacking a meaningful U.S. nexus, would not be the focus of FCPA enforcement.

In line with the DOJ's May 12, 2025 [Memorandum](#) on Selection of Monitors in Criminal Division Matters, DAG Blanche reiterated that the Criminal Division has recalibrated its approach to monitorships, including that monitors will only be put in place in the rare cases in which the compliance and deterrence benefits outweigh the burden and interference with the company's own remediation efforts. He also noted that monitorships are not a "blank check" and that monitorships can be terminated early, upon the recommendation of prosecutors, where companies have met their obligations.

## Other DOJ officials' comments

The remarks by the Acting Assistant Attorney General and Head of the Criminal Division Matthew Galeotti, Chief of the DOJ's FCPA Unit David Fuhr, and Acting Chief Counselor for the Criminal Division Keith Edelman converged on some common themes.

First, the DOJ officials described the state of FCPA enforcement under the Trump administration as having been "revitalized" and as "more of a pivot than a sea change." The speakers pointed to the FCPA Guidelines, and specifically noted the Department's efforts to pursue efficient and focused investigations that implicate the four priority areas identified in the Guidelines. The officials noted that, although some investigations were closed and resolution terms ended early, the number of such requests that DOJ has turned down far outweighs the number of requests that it granted.

Second, in response to questions about whether the FCPA would be focused on foreign companies and individuals instead of U.S. ones, the DOJ officials uniformly emphasized that DOJ's decision to investigate or enforce the FCPA does not depend on the nationality or identity of the person or the company being investigated. Rather, DOJ's focus is whether the issues impact American interests, American victims, and/or American businesses. The officials also noted that if a case has a weak nexus to the United States, the DOJ will not hesitate to refer the case to its relevant foreign counterpart, with whom DOJ continues to cooperate extensively.

Finally, the DOJ officials underlined their focus on leads and case generation, including by incentivizing voluntary self-disclosures, whistleblower tips, and law enforcement referrals. The DOJ officials noted that the application of the Criminal Division Corporate Enforcement and Voluntary Self-Disclosure [Policy](#)—under which a company's voluntary self-disclosure and cooperation can result in a declination, resolution, or otherwise reduce penalties—has been producing strong results. Further, it was noted that over 1,100 submissions have been made through the Department's Corporate Whistleblower Awards Pilot Program, and that following the Department's [updates](#) to the Pilot Program in May 2025, approximately 80 % of the tips received have been referred to prosecutors for further investigation.

## Key takeaways

There are several noteworthy takeaways from the DOJ officials' remarks at the ACI conference:

- The DOJ officials' remarks make clear that corporate enforcement, including FCPA enforcement, continues to be a top priority for DOJ. The fact that these officials spoke at the ACI FCPA conference itself sends a signal that DOJ continues to take such cases seriously. This was the first time that a Deputy Attorney General spoke at this event since the last Trump Administration. Notably, despite the FCPA "pause," DOJ has brought more enforcement actions this year than it did under the first year of the Biden Administration.
- Given the clear focus on cases with U.S. equities and pivot away from cases involving *de minimis* and low-value payments, as well as remarks regarding the age of the case and need for compliance monitoring, the officials' remarks also offer a guide to companies advocating to prosecutors for a case closure or more lenient resolution.
- Finally, DOJ continues to ratchet up the carrots for companies that offer meaningful assistance to DOJ, including in the form of voluntary self-disclosure and cooperation credit. A DOJ-wide corporate enforcement policy will standardize the way that companies are treated across DOJ components. The flip side is that companies that refuse to cooperate may face a much harsher result, including potentially indictment.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

**Greg D. Andres**

+1 212 450 4724  
greg.andres@davispolk.com

**Sidney Bashago**

+1 212 450 4826  
sidney.bashago@davispolk.com

**Martine M. Beamon**

+1 212 450 4262  
martine.beamon@davispolk.com

**Robert A. Cohen**

+1 202 962 7047  
robert.cohen@davispolk.com

**Daniel S. Kahn**

+1 202 962 7140  
daniel.kahn@davispolk.com

**Neil H. MacBride**

+1 202 962 7035  
neil.macbride@davispolk.com

**Tatiana R. Martins**

+1 212 450 4085  
tatiana.martins@davispolk.com

**Fiona R. Moran**

+1 202 962 7137  
fiona.moran@davispolk.com

**Paul J. Nathanson**

+1 202 962 7055  
+1 212 450 3133  
paul.nathanson@davispolk.com

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