

Recently Announced: DOJ Will Extend The FCPA Pilot Program

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Acting Assistant Attorney General Kenneth A. Blanco [recently announced](#) that the Department of Justice (DOJ) will extend the Foreign Corrupt Practices Act (FCPA) Pilot Program (the Program) beyond the one-year period ending on April 5, 2017. This announcement was made on March 10 at the American Bar Association's National Institute on White Collar Crime. However, it is unknown whether this will result in a permanent implementation of the Program. Blanco specifically stated that the DOJ will soon begin evaluating the worth and efficacy of the Program, noting that "the Program will continue in full force until we reach a final decision on those issues." The Program began on April 5, 2016, not necessarily as a new policy initiative, but instead as a means to provide more transparency and guidance to companies regarding the benefits of voluntary self-disclosure of criminality, full cooperation with government investigations and efforts to remediate. Specifically, with regard to self-disclosure and cooperation, the Program stresses proactive action as opposed to reactive undertakings. Companies that qualify for the Program can receive up to a 50% reduction in fines they may face under the U.S. Sentencing Guidelines. Over the course of the one-year period under the Program, the DOJ issued five declination letters to companies closing its inquiry into their potential FCPA violations because of their compliance with the program's objectives. The DOJ has not given further guidance on the length of the evaluation period. However, regardless of the lifespan of the official Program, the DOJ will no doubt continue to favor voluntary self-disclosure, proactive cooperation, and the implementation of remedial actions.

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