



Insights: Publications

Full Disclosure: What the New FCPA Pilot Program Means for Contractors

American Bar Association Forum of Construction Law, Division 13 Newsletter, Volume 2, Issue 2

June 1, 2016

Effective April 5, 2016, the Fraud Section of the DOJ's Criminal Division, implemented a one-year pilot program designed to encourage contractors to self-disclose violations of the Foreign Corrupt Practices Act ("FCPA"). Although the program signals recognition of the business community's desire for clarification and consistency in the enforcement process, it also underscores the inherent tension with DOJ's need for continued discretion in resolving FCPA matters on a case-by-case basis. In that regard, the program may be more of a stepping stone to future developments in DOJ's FCPA enforcement strategy. This article will identify the program's key provisions and discuss how they may, or may not, impact a contractor's decision to self-report.