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Refocusing on M&A

Matthew Miner, the new DAAG in the DOJ's Criminal Division, recently made [mergers and acquisitions](#) the focus of his first major [speech](#). While he clearly meant to reassure companies that the benefits of the DOJ's [FCPA Corporate Enforcement Policy](#) apply to acquisitions, it also served as a reminder that M&A transactions can be a serious source of anti-corruption risk. If Miner's speech wasn't enough, recent settlements such as [Beam Suntory](#) and [Kinross Gold](#) underscore the challenges companies face when growing through acquisitions.

Companies can work to reduce this risk in a variety of ways. First and foremost, they can perform pre-acquisition [due diligence](#) to uncover problems at a target and then decide whether to complete the deal or adjust its terms to reflect the issues found. To assist companies with this challenge, we have checklists of [questions to ask](#), [things to look for](#) and [actions to take](#) as part of the process. I also interviewed Brian Ong of FTI about how to formulate a [game plan](#) and get the most out of target interviews.

However, it is often not possible to sniff out every corruption issue before closing and getting complete access to the target's books and records. That's why post-acquisition due diligence and compliance upgrades are a must. In a recent article we featured insights from [Avis Budget Group](#) on how to avoid culture clashes and other challenges during post-acquisition integration. Expert forensic accountants at Grant Thornton have written for us about how a company can use [data analytics](#) in the post-acquisition period. And my three-part series on [managing subsidiary risk](#) delves deeply into how a company can set itself up for success with a newly acquired sub.

While all of these articles are valuable tools to help you manage this sticky area of anti-corruption compliance, we have more for you in the pipeline. Keep an eye out this fall for a three-part series that will provide an in-depth look at how to manage M&A anti-corruption risk with insights from a number of experts in the field.

Warmly,

Megan Zwiebel
Senior Editor