

# The ACR Brief

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## The Year of the Policy Announcement

Is it just us, or is everyone who follows FCPA enforcement suffering from policy fatigue? It seems as though every time we turned around this year, the DOJ was announcing something new. 2018 began with ongoing analysis of the Corporate Enforcement Policy (CEP), which was announced at the very end of last year. Then, in March, the DOJ announced that it was [extending the scope of the CEP](#) and making it “non-binding guidance” in all corporate criminal matters. In May, Deputy Attorney General Rod Rosenstein debuted the Department’s policy against “[piling on](#).” In August, Deputy Assistant Attorney General Matthew Miner [confirmed](#) that FCPA issues inherited through a merger or acquisition are covered by the CEP – not a surprise to most in the field. That was followed in October by another announcement of the obvious, the DOJ’s updated policy on the [Selection of Monitors in Criminal Division Matters](#). Finally, in November, DAG Rosenstein revealed that the Trump Administration would be making “tweaks” to its policy on individual prosecutions as announced in the [Yates Memo](#) in 2015.

While all these policy tweaks, confirmations and updates might leave your head spinning, our thorough analysis should help sort things out. For a refresher on the CEP, check out Senior Editor Megan Zwiebel’s coverage of [how the CEP diverged from the Pilot Program](#), [the importance of the presumption of declination](#) and [the DOJ’s cooperation and compliance expectations](#). Or dig deep on disappearing messaging apps with my update on the [government’s evolving position](#) on the topic or Megan’s [webinar](#) discussing how companies can meet their document-retention obligations in light of the new expectations. Moving past the CEP, take a look at Ryan Rohlfen’s article providing a [former prosecutor’s perspective](#) about piling on and my round-up of [insider perspectives on the monitor announcement](#). Finally, read what the government recently had to say about the CEP, [one year later](#). Want even more? Check out the [enforcement trends](#) tag in our archive.

The Anti-Corruption Report will be taking a publishing break in late December, but we will be back in the New Year with even more analysis of what the government has been up to. Until then, we wish you and yours a happy and healthy holiday season.

Warmly,

Nicole Di Schino  
Editor-in-Chief