

Alert | Global Anti-Corruption Enforcement & Compliance



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FCPA Year in Review 2021

After two consecutive record-setting years in U.S. Foreign Corrupt Practices Act (FCPA) enforcement, FCPA corporate enforcement actions declined in 2021. This is not entirely surprising given the continued impact on investigations due to the COVID-19 pandemic and the change in presidential administrations (e.g., enforcement numbers declined in the first year of each of the previous two administrations). In 2021, the U.S. Department of Justice (DOJ) and the U.S. Securities and Exchange Commission (SEC) obtained nearly \$259 million in total fines and penalties related to FCPA violations. In total, over \$600 million in global settlement amounts was recovered by the U.S. government and foreign governments related to those FCPA corporate enforcement actions. In addition, the U.S. government announced charges against 24 individuals for FCPA and FCPA-related conduct, which represents one of the higher numbers of individual prosecutions ever pursued in a year.

The Biden administration continues to signal that anti-corruption is a priority. In June 2021, President Biden issued a National Security Study Memorandum (NSSM) that established fighting corruption as a “core national security interest.” The NSSM directed several federal agencies, including the DOJ, to conduct an interagency review and submit a report with recommendations. *See GT Alert*. As a result, in December 2021, the White House published the [United States Strategy on Countering Corruption](#), which includes five strategic pillars for combating corruption: (1) modernizing, coordinating, and resourcing U.S. government efforts; (2) curbing illicit finance; (3) holding corrupt actors accountable; (4) preserving and strengthening multilateral anti-corruption architecture; and (5) improving diplomatic engagement and leveraging foreign assistance.

Following is a snapshot of 2021 FCPA enforcement:

FCPA 2021 YEAR IN NUMBERS

ENFORCEMENT CASES AND SETTLEMENT AMOUNTS



INDUSTRIES MOST AFFECTED



ANNOUNCED FCPA AND FCPA-RELATED ACTIONS AGAINST INDIVIDUALS



WHERE IMPROPER CONDUCT OCCURRED



Ranked by Number of Cases

- | | | |
|-----------|----------|----------------------|
| Brazil | Chad | Mozambique |
| China | Djibouti | Nigeria |
| Ecuador | Egypt | Peru |
| Venezuela | India | Saudi Arabia |
| Bolivia | Italy | United Arab Emirates |

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