

ALERT

DOJ Selects Acting Chief David Last to Head the FCPA Unit

August 12, 2021

The Department of Justice (DOJ) chose David Last to lead the DOJ Fraud Section's Foreign Corrupt Practices Act (FCPA) Unit as Chief. Last was Acting Chief of the FCPA Unit since April 2020 and has significant experience prosecuting corruption and bribery cases throughout his career. Last has been with DOJ since 2006 and was involved with the FCPA Unit since 2016, beginning as a trial attorney and serving as an Assistant Chief and the Principal Assistant Chief.

At the 2021 OECD Global Anti-Corruption & Integrity Forum, Last reaffirmed the goals of the DOJ's 2019 compliance guidelines and outlined DOJ's approach to reviewing compliance programs. First, he noted that DOJ will review how a company understands compliance, including whether a program is well-designed, adequately resourced, empowered to function effectively, able to sufficiently address risks, and responsive to risks when they arise. Second, Last explained that DOJ wants to "get under the hood" of a program to see how the program works over time, including whether the program is reviewed, whether there is a root cause analysis of any problems, and whether the policy evolves to respond to new problems.

Last's appointment continues DOJ's focus on fully staffing the FCPA Unit with experienced prosecutors. In January 2021, DOJ added three new assistant chiefs and later added three more assistant chiefs in July 2021. These moves reinforce the current Administration's focus on proactive FCPA enforcement and its stance that anti-corruption is a core national security interest.

Wiley recently conducted its 2021 Annual FCPA Mid-Year Review webinar, which included discussions on recent trends in enforcement and best practices for compliance. The webinar is available to [view](#)

Authors

Laura El-Sabaawi
Partner
202.719.7042
lel-sabaawi@wiley.law

John Allen Riggins
Associate
202.719.4493
jriggins@wiley.law

Practice Areas

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on-demand here. The newly updated Wiley FCPA handbook excerpt is available **here**. If you have any questions about FCPA or any other related matters, please contact one of the attorneys listed on this alert.