

DOJ Signals White-Collar Enforcement Reset: What It Means for Businesses

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On May 12, 2025, the Department of Justice (DOJ) released updated guidance titled “Focus, Fairness, and Efficiency in the Fight Against White-Collar Crime,” outlining a more focused and pragmatic approach to white-collar enforcement. The new strategy emphasizes more efficient and effective investigations, targeted prosecution of high-impact misconduct, and fair treatment of companies that engage proactively with regulators. Businesses—particularly those operating in regulated, capital-intensive, or international sectors—should pay close attention.

Refined Focus on High-Impact Risk Areas

One of the main focuses of the DOJ’s updated guidance is prioritizing white-collar cases that carry significant implications for national security and the U.S. economy, including:

- **Government Program Fraud** - The DOJ is targeting fraud involving health care claims, defense contracts, and procurement schemes that result in waste or abuse of taxpayer funds.
- **Trade and Tariff Evasion** - Companies engaged in international supply

chains face increased exposure, particularly where customs misclassification or undervaluation practices are used to reduce duties.

- **Material Support to Foreign Terrorist Organizations (FTOs)** - Corporations that provide direct or indirect aid to FTOs—including designated cartels and transnational criminal organizations—could face criminal liability.
- **Complex Money Laundering** - High-risk laundering networks, such as Chinese Money Laundering Organizations, are now a top priority due to their role in facilitating drug trafficking and financial concealment.
- **Controlled Substance and Food, Drug, and Cosmetic Act (FDCA) Violations** - Businesses in the pharmaceutical, chemical, and medical distribution sectors face risk where improper handling, manufacturing, or sale of substances—especially fentanyl precursors—can be tied to public harm.
- **Foreign Bribery and Corruption** - Bribery cases with international reach, particularly those that undermine national security or distort competitive markets, will continue to be a DOJ priority.
- **Digital Asset Abuse** - Crimes involving digital assets will be pursued where there is investor harm, facilitation of criminal conduct, or willful evasion of regulatory obligations—especially when linked to terrorist financing or proceeds from the sale of narcotics.

Companies operating in sectors like life sciences, defense, fintech, and global manufacturing may face elevated exposure due to the international and regulated nature of their operations.

Fairness for Compliant Companies

For businesses that are proactive about compliance, the DOJ is offering a clearer path forward. Under the revised policies, corporate self-disclosure and cooperation remain the gold standard—and will be rewarded with more predictable outcomes, including the potential for reduced penalties and even early termination of settlement agreements.

Importantly, the new guidance clarifies that not every corporate compliance failure

warrants criminal charges. Civil remedies, administrative actions, and individual prosecutions will often be favored over broad corporate indictments, especially where a company can demonstrate a strong culture of compliance and effective remediation.

This change not only creates a more balanced enforcement environment but also incentivizes companies to invest in internal controls and foster a speak-up culture, which are cornerstones of a modern compliance program.

What Comes Next

The DOJ is aiming for faster investigations, narrower use of monitorships, and clearer incentives for voluntary self-disclosure and cooperation. At the same time, companies involved in high-risk sectors or transactions should expect increased scrutiny.

Now is the time to revisit compliance programs, internal controls, and third-party risk assessments—particularly in areas tied to cross-border activity, public funding, or crypto. A strong compliance posture and readiness to act swiftly in response to misconduct can help mitigate risk under this evolving enforcement environment.

*To learn more about how your business can prepare for the DOJ's updated enforcement priorities, reach out to **Brian Sanvidge**, Principal & Leader of Anchin's **Regulatory Compliance & Investigations Group**, or your Anchin Relationship Partner.*