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## New DOJ Corporate Enforcement Policy

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On March 10, 2026, the U.S. Department of Justice (“DOJ” or “Department”) issued a [press release](#) announcing its “first-ever” Department-wide Corporate Enforcement and Voluntary Self-Disclosure [Policy](#) (the “CEP”). The CEP is an explicit attempt to harmonize prior corporate enforcement and self-disclosure standards across DOJ and the U.S. Attorneys’ Offices, except the Antitrust Division.

Companies interested in taking advantage of the CEP must:

- Voluntarily disclose discovered misconduct to the appropriate criminal component of the DOJ;
- Cooperate fully with any resulting DOJ investigations; and
- Timely and appropriately remediate the wrongdoing.

The benefits for a company that voluntarily discloses, and has no “aggravating factors,” include:

- A presumption of declination for the disclosing party;
- Avoidance of a corporate monitor; and
- Shorter compliance reporting terms.

Companies with “aggravating factors,” such as egregious or pervasive misconduct within the company, severe harm caused by the misconduct, or corporate recidivism, may not receive a full declination. Nor will companies who disclose misconduct already known to the DOJ or on the eve of an “imminent threat of disclosure or government investigation” receive full declination. These cases give greater discretion to the prosecutors to determine the outcome. For example, in these “near miss” cases, the DOJ may:

- Provide a non-prosecution agreement;
- Allow a term length of fewer than three years;
- Not require an independent monitor; and
- Provide “a reduction of at least 50% but not more than 75% off the low end of the U.S. Sentencing Guidelines fine range.”

Importantly, this Sentencing Guidelines discretion replaces the flat 75% reduction that corporations who voluntarily self-disclosed were entitled to under the 2025 DOJ corporate enforcement memo.

## Client **Alert**

The DOJ's emphasis on voluntary self-disclosure through the CEP makes it imperative that companies build a robust compliance program to prevent and detect potential misconduct, proactively investigate potential wrong-doing, and make sound decisions concerning the many risks and benefits of voluntary self-disclosure. Our White Collar, Investigations and Compliance team regularly advises sophisticated clients on these matters, and we would be glad to discuss it further.

For more information, **please contact:**

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