

Six enforcement actions, two policy documents, and what they signal about scrutiny

AAG Duva’s Ethicsverse Day Statement

Assistant Attorney General of the DOJ Criminal Division, A. Tysen Duva, gave a nearly 30 minute statement on the DOJ’s current regulatory enforcement priorities. Three priorities, six cases, two policy documents. This briefing is a reference sheet for the Session 3 keynote: what was said, where to verify it, and what each item signals about how the Criminal Division is allocating attention.



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“Statement from A. Tysen Duva: AAG of DOJ Criminal Division” aired 7/23/26



A. Tysen Duva
AAG of DOJ Criminal Division

01

HEADER

The Top 3 DOJ Priorities

What the Criminal Division says it is prioritizing, The keynote set out three areas of focus:

- Prosecuting cartels and the financial networks that serve them
- Corporate enforcement under a revised self-disclosure policy
- Cyber-enabled fraud, with particular attention to schemes targeting older Americans

The Department cannot see any of the three on its own. Cartel finance moves through licensed institutions. Corporate misconduct surfaces when a company reports it, or when a whistleblower does. Fraud against older Americans is usually visible to a bank, a colleague, or a family member long before it reaches a prosecutor.

A major theme throughout the keynote statement was the essential dependency on compliance officers to surface these crimes. Read from the Department's side, the three priorities describe where it is looking. Read from yours, they describe what it is relying on you to find.

AAG Duva on the importance of compliance professionals:



“It really takes people like you to see it, spot it, and figure out exactly what's going on. We as prosecutors and agents, in a very real way, rely on that. You are the first line of defense.”

SECTION 01

Cartels & Their Financiers

The cases, their primary sources, and what they signal

 CASE 01: Zambada García

CASE DETAILS

Ismael Zambada García, a co-founder of the Sinaloa Cartel (with Joaquín Guzmán Loera, aka El Chapo), was sentenced in the Eastern District of New York. The prosecution was built over more than two decades and closed a case the Department has pursued since the cartel's founding era.

- Pleaded guilty in August 2025 to leading a continuing criminal enterprise and to a racketeering charge
- Sentenced on 20 July 2026 to life in prison without parole
- Agreed to a \$15 billion forfeiture judgment Joaquín Guzmán Loera, his co-founder, was convicted in the same district in 2019 and sentenced to life plus thirty years

WHY THIS MATTERS

This is not a compliance matter on its face. It sits at the front of this briefing because it establishes the lens for everything that follows. Cartel and transnational criminal organization exposure is the first-listed factor the Department weighs in deciding whether to open a foreign bribery investigation. The Scoular resolution later in this briefing shows what that means for a company with no knowledge of any cartel connection at all.

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 CASE 02: Yan Lin

CASE DETAILS

A charged money laundering conspiracy in the Southern District of Ohio, alleging that Mexico-based drug traffickers hired an intermediary to return their U.S. proceeds home. The mechanism ran entirely through ordinary commercial activity.

- Alleged conduct ran from March 2022 to October 2024
- Co-conspirators collected bulk cash in U.S. cities and used it to buy consumer electronics
- The electronics were shipped to co-conspirators in Hong Kong, China, and elsewhere
- On confirmation of receipt, the traffickers were paid in Mexico through a mirror transaction, minus commission (the money itself never crossed a border)
- One partial 2024 ledger recorded approximately \$27.4 million in bulk cash collected
- Charged with conspiracy to commit money laundering and concealment money laundering; presumed innocent

WHY THIS MATTERS

This is the typology the keynote asked this audience to watch for, and the reason a prosecutor spent part of a compliance session on drug proceeds. Nothing in the alleged scheme looks like crime at the transaction level. It looks like cash deposits, electronics purchases, export shipping, and trade invoicing. That places every detection point inside a bank, a payment processor, or a trade finance function rather than with a prosecutor.

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SECTION 02

Corporate Enforcement

Two documents decide how a corporate matter resolves. Both are short, and both are worth reading directly.

Corporate Enforcement and Voluntary Self-Disclosure Policy

Governs every corporate criminal matter the Department handles, other than antitrust. It sorts resolutions into three tiers based on four questions: did the company voluntarily self-disclose, did it fully cooperate, did it timely and appropriately remediate, and were there aggravating circumstances. Clear all four and the outcome is a declination. Miss the disclosure test alone and the outcome is a near-miss non-prosecution agreement with a guaranteed 50 to 75 percent reduction. Fall outside both and the reduction is capped at 50 percent. Appendix A is a one-page flowchart of that logic; Appendix B defines every term in it.

[Click here to access the policy](#)

Guidelines for Investigations and Enforcement of the FCPA

Issued 9 June 2025 by the Deputy Attorney General, following Executive Order 14209 and a 180-day review. It sets four non-exhaustive factors for whether a foreign bribery matter is pursued: cartel and transnational criminal organization nexus, harm to identifiable U.S. companies' ability to compete, national security exposure, and the seriousness of the misconduct. The fourth factor narrows rather than widens. It is not a residual category for anything the first three miss — it directs enforcement away from routine business practices and low-dollar courtesies, and toward substantial payments, sophisticated concealment, and obstruction.

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CASE 01: The Scoular Company

CASE DETAILS

An Omaha agricultural supply chain company entered a three-year deferred prosecution agreement six days before this session, on a one-count criminal information charging conspiracy to violate the FCPA's anti-bribery provisions. The company did not self-disclose, and the outcome shows it.

- Between 2013 and 2019, Scoular's shipments into Mexico were subject to inspection for dirt, soil, and impurities.
- When inspections found them, Scoular authorized third-party customs brokers to bribe Mexican border officials so the shipments crossed anyway
- The brokers paid roughly \$2,000 per train and invoiced the payments back to Scoular as reinspection fees, which Scoular paid Total bribes exceeded \$400,000; avoided fees and costs exceeded \$6.5 million
- Employees discussed shipments and payments over WhatsApp
- \$9,769,521 criminal penalty plus \$414,351 in forfeiture — a 25 percent reduction from the bottom of the guidelines range
- A portion of the bribes benefited people associated with cartel operations at the border, unknown to the company or its employees
- A customs broker who paid bribes on the company's behalf was sentenced to 18 months in prison, a \$250,000 fine, and three years of supervised release

WHY THIS MATTERS

The intermediary did not insulate the company. Scoular never paid an official directly. It authorized brokers to, and reimbursed them through an invoice line that looked like a legitimate fee. The reimbursement mechanism is the control failure, and it is the part that would survive any policy prohibiting direct payments. The disclosure decision is visible in the numbers. Because the company did not self-disclose, this is a Part III resolution: a deferred prosecution agreement rather than a non-prosecution agreement, a full three-year term, and a 25 percent reduction rather than the 50 to 75 percent floor that Part II guarantees. The gap between those two outcomes is what the disclosure decision costs. Cooperation credit survived an imperfect start. The Department granted it notwithstanding deficiencies early in the investigation. Under the policy, cooperation credit begins at zero and is earned — an uneven beginning is recoverable.

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 CASE 02: Balt SAS

CASE DETAILS

French medical device manufacturer self-disclosed a bribery scheme, cooperated, remediated, and received a declination — the first resolution under the Department-wide policy. Two individuals were indicted.

- Balt was alleged to have paid bribes to a physician in a senior role at a French state-owned public hospital to secure purchases of endovascular embolization coils and related products
- The Department declined to prosecute under Part I of the policy Balt paid approximately \$1.2 million in disgorgement — required by the policy, not negotiated
- The resolution was coordinated with France's Parquet National Financier, which carries its own compliance obligations
- An executive at Balt's U.S. subsidiary and a consultant the subsidiary engaged were separately indicted in the Central District of California
- The alleged scheme ran from approximately 2017 into 2023 and was concealed with sham consulting agreements, fake invoices, and personal email accounts

WHY THIS MATTERS

The declination announcement enumerates seven factors behind the decision. Together they are the clearest public statement available of what Part I actually requires, and they are worth reading in full before you build or defend a self-disclosure position. Three points the summary version tends to lose. The declination did not end individual exposure — the company was not prosecuted, and two people were charged. The \$1.2 million was not a concession extracted in negotiation; disgorgement is a structural requirement of every Part I declination. And the matter did not resolve once. The French process runs in parallel and imposes its own obligations. Set against Scoular, this is the whole argument. Structurally similar conduct — payments to foreign officials through an intermediary, sustained over years — landing at opposite ends of the same policy, because one company disclosed and one did not.

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 CASE 03: Purdue Pharma

CASE DETAILS

Sentenced in April 2026, more than five years after the guilty plea. The transferable lesson has nothing to do with opioids and everything to do with what a company tells its regulator.

- Pleaded guilty in November 2020 to three felonies: one dual-object conspiracy to defraud the United States and violate the Food, Drug, and Cosmetic Act, and two counts of conspiracy to violate the Anti-Kickback Statute
- Admitted that from May 2007 through at least March 2017 it represented to the DEA that it maintained an effective anti-diversion program while continuing to market opioids to more than 100 health care providers it had good reason to believe were diverting
- Admitted it reported misleading prescription data to the DEA to increase its manufacturing quotas The kickback counts cover payments to two doctors through a speaker program, and payments to Practice Fusion, an electronic health records company, in exchange for arranging orders of Purdue's opioid products
- A \$3.544 billion criminal fine, assessed in the bankruptcy proceedings, plus \$2 billion in criminal forfeiture.
- Up to \$1.775 billion of the forfeiture may be credited against value conferred through the bankruptcy
- A Crime Victims' Rights Act mandamus petition seeking restitution is pending in the Third Circuit. The matter is not closed
- The headline figure of roughly \$5.5 billion overstates what will be paid. Up to \$1.775 billion may be credited, and the fine is assessed within a bankruptcy.

WHY THIS MATTERS

Two of the three counts turn on representations to a regulator: that a program was effective when it was not, and that submitted data supported a quota request when the data included prescriptions the company had reason to believe were illegitimate. Any regulated business that certifies compliance program effectiveness, or submits data supporting an allocation, license, or approval, carries the same exposure. The subject matter changes; the failure mode does not. The Practice Fusion count is the one most likely to surprise. Payments to a software vendor to shape how a product surfaced inside clinical workflow were charged as kickbacks. If your commercial function pays platforms, data providers, or workflow tools that have any influence over purchasing decisions, that arrangement is in scope.

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SECTION 03

Cyber-Enabled Fraud

The action, the numbers, and where the exposure actually sits

One matter, and a different kind of exposure than the two panels above. This is the Department's most internationally coordinated work: asset seizures, infrastructure takedowns, and arrests across several jurisdictions. For financial institutions that creates a detection obligation. For everyone else, a duty of care.

 CASE 01: Scam Center Strike Force

CASE DETAILS

In April 2026 the Criminal Division, the U.S. Attorney's Office for the District of Columbia, and federal partners announced coordinated actions against Southeast Asian scam operations targeting Americans.

- More than \$701 million in cryptocurrency restrained, tied to laundering of proceeds from cryptocurrency investment fraud
- A Telegram channel with more than 6,500 followers, used to recruit workers into a Cambodian scam compound, was seized 503 fraudulent investment websites were seized
- Arrests were led by Dubai Police in the United Arab Emirates, with those arrested including nationals of Indonesia and Burma
- The FBI's Internet Crime Complaint Center reported total losses above \$16.6 billion for 2024, of which \$13.7 billion was attributed to cyber-enabled fraud
- Victims aged 60 and over reported the largest losses of any age group — \$4.885 billion in 2024, rising to \$7.7 billion in 2025

WHY THIS MATTERS

For most compliance functions this is not an enforcement risk. It is a customer-harm and workforce-harm problem. Financial institutions carry the detection burden. Everyone else carries a workforce whose parents are the target population, and the loss figures above are the reason a prosecutor spent the last third of a compliance keynote on it.

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OUTRO

Where this leaves a compliance function

The through-line across all six matters is that the Department is sorting companies by what they did before it arrived. Scoular and Balt engaged in structurally similar conduct and landed at opposite ends of the same policy, because one disclosed and one did not. The difference in outcome is a three-year deferred prosecution agreement against a declination with disgorgement — and in both cases, individuals were charged regardless.

That is a narrower message than it first appears. Self-disclosure does not protect people, and it does not eliminate payment. What it changes is the form of the corporate resolution, its duration, and the size of the reduction. Those are meaningful, and they are the variables a compliance function can still influence at the moment a problem surfaces.

The session closed on the quality of written work — that precision in how a finding is documented is what makes it actionable to someone outside the organization. That holds. A disclosure a prosecutor can follow, with a timeline that explains itself, is doing the same work as the controls that should have prevented the conduct.