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## US Deputy Attorney General Statement on Heightened Sanctions Enforcement Focus

Of particular interest to: firms with a US nexus\*

### In brief

At an event at the New York City Bar Association, Lisa Monaco, US Deputy Attorney General reiterated that the US Department of Justice (“DOJ”) is prioritising sanctions in the aftermath of Russia’s invasion of Ukraine as a key to combat white-collar crime. Monaco compared sanctions to the Foreign Corrupt Practices Act (“FCPA”) which has impacted many non-US firms given the DOJ enforcement track record of having charged and prosecuted a number of non-US companies for bribing non-US officials.

### Summary

On 2 March 2022, the DOJ announced the creation of the inter-agency Task Force KleptoCapture to enforce the unprecedented Russia sanctions imposed by the US government. The Deputy Attorney General’s remarks at the New York City Bar Association event further highlighted the increased focus of the DOJ on sanctions enforcements in the coming years.

Monaco’s comments sent a clear message that the new sanctions landscape needs to be factored in by multi-national corporations and, particularly, how their business activities and clients might be exposing them to the risk of violating the US sanctions regime. Knowing your clients and having established sound Know-Your-Customer (“KYC”) processes and procedures are critically important in mitigating this risk.

The Deputy Attorney General pointed out that companies should think of sanctions in the same way as FCPA which should put compliance departments of many non-US firms on notice in terms of the extra-territoriality of the FCPA enforcement actions and investigation powers of the DOJ.

Monaco further noted that the DOJ has increased the resources dedicated to the enforcement of sanctions and that firms will be seeing a lot more multi-disciplinary approaches in the investigation of money laundering and sanctions evasion cases.

Given the heightened focus on sanctions enforcement, firms are advised to assess the compliance measures put in place to prevent sanctions violations.

If you need support with ensuring your financial crime controls are appropriate in light of these developments, then please do get in touch with your usual Optima contact.

**\*US Nexus – what does this mean?**

Firms can be considered to have a sufficient US nexus if they meet any of a broad range of criteria. The DOJ can employ its enhanced subpoena authority under the Anti-Money Laundering Act of 2020, which provides a basis for the DOJ and the US Department of the Treasury to issue subpoenas to non-US companies with a US correspondent account for any records relating to any account at the non-US company, including records maintained outside the US.

**Useful Links**

[Attorney General Merrick B. Garland Announces Launch of Task Force KleptoCapture](#)

[Q&A with Deputy Attorney General Lisa Monaco - 2022 White Collar Crime Institute](#)

[The Anti-Money Laundering Act of 2020](#)

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