

DOJ's New Corporate Self-Reporting Policy: What Companies Need to Know



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On March 10, 2026, the Department of Justice (DOJ) released the first-ever Corporate Enforcement (CEP) Policy designed to promote uniformity and predictability across the nation's 94 United States Attorney's Offices. The CEP provides "concrete benefits to incentivize companies to voluntarily disclose" misconduct. Designed to encourage prompt reporting and compliance, the newly minted policy encourages companies to self-report individual wrongdoers within their ranks, fully cooperate, and swiftly remediate, including prompt victim restitution. If a company self-reports, fully cooperates, and remediates, and if no "aggravating circumstances" exist, the DOJ will decline to prosecute the company. In instances with "aggravating circumstances," such as pervasive, company-wide misconduct or corporate criminal adjudication in the last five years, a company that self-reports may still benefit from a non-prosecution agreement, a lower fine, or no independent monitorship.

A company does not receive the benefit of self-disclosure if the DOJ is already aware of the reported misconduct, through a whistleblower or an investigation, so self-reporting must be prompt, even before a thorough internal investigation is complete. However, in instances where a whistleblower contemporaneously reports internally and to the DOJ, the company should receive the benefit of self-reporting if done so within 120-days of receiving the whistleblower's complaint.

For questions about this policy or other related matters, please contact Lippes Mathias government & corporate investigations practice team members Dennis C. Vacco (dvacco@lippes.com), Michael G. Rossetti (mrossetti@lippes.com), or Scott S. Allen, Jr. (sallen@lippes.com).

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