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Diana Lyn Curtis Shutzer Weighs in on DOJ's Trade Fraud Focus in Foreign Investment Watch

Spencer Fane partner Diana Lyn Curtis Shutzer was quoted in the article DOJ Fraud Division Issues Corporate Enforcement Directive, published by *Foreign Investment Watch* on Oct. 7, 2026.

The article examines "Directive 26-12: Corporate Enforcement in the Fight Against Fraud," issued by the U.S. Department of Justice's National Fraud Enforcement Division, which centralizes oversight of corporate investigations in the Division's Corporate Enforcement Section and names tariff evasion, import fraud, and forced labor among its enforcement priorities. Diana explains why the directive matters most for companies with cross-border exposure and describes how prosecutors will "score the misconduct, then score the response." She also predicts that routing every corporate case through the new Corporate Enforcement Section will bring more consistent outcomes and closer scrutiny of the compliance promises companies make.

Diana cautions that "the biggest disclosure risk is a problem that never reaches leadership" and that, even when it does, an insider may already be talking to DOJ. She advises companies to set clear triggers that force issues upward, especially from foreign operations and suppliers; to treat diligence on supplier ownership, government ties, and payment flows as fraud control, not export paperwork; and to fix problems early, "because time can turn a mistake into a scheme."

"Tariff evasion, forced labor, and money flowing to foreign adversaries are squarely in [the DOJ's] sights," Diana said. "Customs and trade violations once treated as compliance lapses can now be prosecuted as fraud."

Based in the firm's Washington, D.C., office, Diana counsels companies on government contracts, export controls, regulatory compliance, and federal construction matters. She previously managed compliance in-house for a large national federal contractor, and she draws on that experience to help clients identify and address the trade, supply chain, and regulatory risks that come with doing business with the federal government.

Read the full article here. Please note, a subscription may be required.