

DOJ Launches FOCUS Initiative, Signaling Increasingly Data-Driven Era of FCA Enforcement

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OVERVIEW

On April 30, 2026, the U.S. Department of Justice's Civil Division announced a new initiative called the Fraud Oversight through Careful Use of Statistics ("FOCUS") initiative,^[1] aimed at strengthening DOJ's engagement with so-called "data miner" whistleblowers who bring False Claims Act (FCA) *qui tam* actions based on publicly available government data, rather than insider knowledge. The FOCUS initiative reflects DOJ's recognition of whistleblowers as increasingly important contributors to FCA enforcement.

The FOCUS initiative comes amid a surge in data-driven *qui tam* filings. In fiscal year 2025, 1,297 *qui tam* lawsuits were filed, surpassing the previous record of 980 cases set in 2024.^[2] DOJ has attributed part of this growth to whistleblowers using sophisticated data analytics to identify potential fraud signals across federal programs.

A SHIFT TOWARD STRUCTURED COLLABORATION

According to DOJ, FOCUS is designed to help the Civil Division identify and prioritize high-quality data-driven cases. The initiative is designed to encourage early collaboration between prosecutors and data miners who demonstrate:

- "[A]n investment in pre-filing diligence and commitment to analytical rigor";
- "[F]amiliarity with program rules"; and
- "'[L]egally sufficient allegations."^[3]

While pre-filing meetings are not mandatory, DOJ has made clear it will focus resources on data miners whose submissions reflect analytical rigor, familiarity with program rules, and legally sufficient allegations. This may signal that DOJ is not simply opening the door to more filings, but is instead seeking to curate higher-quality, data-driven cases and mitigate weaker or speculative claims.

IMPLICATIONS FOR FEDERAL FUND RECIPIENTS

The FOCUS initiative underscores DOJ's increasing reliance on data analytics in FCA enforcement. DOJ has emphasized that both the government and private relators alike routinely leverage publicly available datasets,

including Paycheck Protection Program loan data and other federal program disclosures, to “identify potential fraud *that would otherwise go undetected*” (emphasis added) and pursue potential FCA claims at scale.[4]

As a result, companies should expect a shift in enforcement dynamics, including:

- **Algorithm-driven scrutiny:** Investigations may be triggered by statistical anomalies rather than employee or competitor complaints.
- **Increased exposure for outliers:** Entities with atypical billing, pricing, or utilization patterns may face heightened risk.
- **Broader enforcement sweeps:** DOJ may pursue coordinated actions targeting trends revealed through data analysis.

Taken together with record FCA recoveries and sustained growth in *qui tam* filings,[5] the FOCUS initiative signals that data-driven enforcement is no longer an emerging trend but a central feature of DOJ’s FCA enforcement strategy. Federal fund recipients should expect increased scrutiny grounded in statistical analysis of public data and consider proactive compliance reviews through the same analytical lens.

If you have any questions about this subject or related subjects, or if you need assistance, please contact the authors of this article.

[1] See U.S. Dep’t of Just., *Civil Division Announces FOCUS Initiative for Data Miners Filing Qui Tam Complaints* (Apr. 30, 2026), <https://www.justice.gov/opa/pr/civil-division-announces-focus-initiative-data-miners-filing-qui-tam-complaints>.

[2] See U.S. Dep’t of Just., *False Claims Act Settlements and Judgments Exceed \$6.8 Billion in Fiscal Year 2025* (Jan. 16, 2026), <https://www.justice.gov/opa/pr/false-claims-act-settlements-and-judgments-exceed-68b-fiscal-year-2025>.

[3] See U.S. Dep’t of Just., *FOCUS Initiative*, *supra* note 1.

[4] See *id.*

[5] Suzanne Jaffe Bloom, Matt Graves, Amandeep S. Sidhu, Benjamin Sokoly, Christopher M. Parker & Sydney Hartman, *Future FCA Enforcement Expectations in Light of Record-Breaking FY 2025 Recoveries and Administration Priorities*, Winston & Strawn LLP (Mar. 23, 2026), <https://www.winston.com/en/blogs-and-podcasts/government-program-fraud-false-claims-act-and-qui-tam-litigation-playbook/future-fca-enforcement-expectations-in-light-of-record-breaking-fy-2025-recoveries-and-administration-priorities>.

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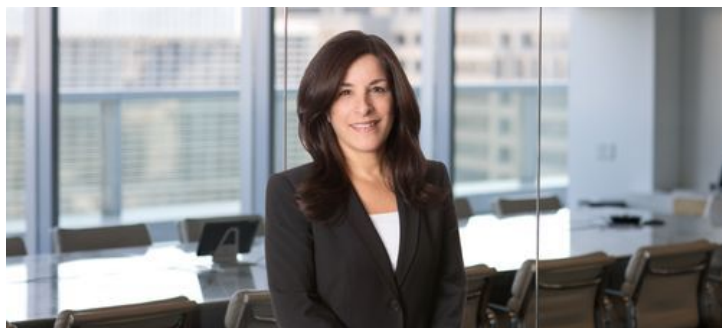
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