

FCPA Update

A Global Anti-Corruption Newsletter



Also in this issue:

6 DOJ Issues First FCPA
Declination Under Second
Trump Administration

[Click here for an index of
all FCPA Update articles](#)

If there are additional
individuals within
your organization who
would like to receive
FCPA Update, please email
prohlik@debevoise.com,
eogrosz@debevoise.com, or
pferez@debevoise.com

DOJ Charges Mexican Nationals with Bribing PEMEX Employees in First FCPA Case Since Resuming Enforcement

On August 11, 2025, DOJ announced charges against two Mexican oil and gas businessmen for conspiring to bribe employees of Mexico's state-owned oil company. These are the first FCPA charges announced by DOJ since the Administration paused FCPA enforcement following a February 10, 2025 Executive Order¹ and subsequently lifted the pause with DOJ's issuance of new FCPA enforcement guidelines in June 2025.²

[Continued on page 2](#)

1. Executive Order, *Pausing Foreign Corrupt Practices Act Enforcement to Further American Economic and National Security* (Feb. 10, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/pausing-foreign-corrupt-practices-act-enforcement-to-further-american-economic-and-national-security>.
2. See Debevoise & Plimpton LLP, *DOJ Issues FCPA Enforcement Guidelines, Focusing on Conduct Harming U.S. Economic and National Security Interests* (July 1, 2025), <https://www.debevoise.com/-/media/files/insights/publications/2025/07/fcpa-update-june-2025.pdf>.

**DOJ Charges Mexican
Nationals with Bribing PEMEX
Employees in First FCPA Case
Since Resuming Enforcement**
Continued from page 1

As we have previously discussed, the guidelines set out four key factors for federal prosecutors to consider when determining whether to bring FCPA charges: whether the conduct (1) was linked to drug cartels or other transnational criminal organizations, (2) harmed U.S. companies or individuals, (3) implicated U.S. national security interests, or (4) involved serious misconduct “that bears strong indicia of corrupt intent tied to particular individuals, such as substantial bribe payments, proven and sophisticated efforts to conceal bribe payments, fraudulent conduct in furtherance of the bribe scheme, and efforts to obstruct justice.”³

The charges in this case seem to implicate, at most, the fourth factor, suggesting that DOJ will continue to pursue FCPA charges even in the absence of clear links to cartel activity, U.S. national security, or apparent harm to U.S. persons. That said, it is possible that a link to Mexican cartels remains under investigation and could emerge in future proceedings.

Factual Background and Allegations

On August 6, 2025, DOJ charged in the Southern District of Texas Ramon Alexandro Rovirosa Martinez (“Rovirosa”) and Mario Alberto Avila Lizarraga (“Avila”)—both Mexican nationals and lawful permanent residents of the United States—with one count of conspiracy to violate and three counts of substantive violations of the FCPA.⁴ According to the indictment, Rovirosa owned six Mexican energy companies and directed Avila, an employee, to make corrupt agreements with foreign officials.

The Government alleges that from June 2019 to October 2021, Rovirosa, Avila, and others offered at least USD \$150,000 worth of bribes—in the form of cash and luxury items—to three foreign officials who worked for the Mexican state-owned oil company Petróleos Mexicanos (“PEMEX”) and its wholly owned subsidiary PEMEX Exploración y Producción (“PEP”). In exchange, these foreign officials—who served in internal audit, procurement, and land infrastructure functions—allegedly used their influence to help resolve audits of, authorize payment to, and secure lucrative contracts worth approximately USD \$2.5 million for Rovirosa’s energy companies.

Continued on page 3

-
3. The Deputy Attorney General, *Guidelines for Investigations and Enforcement of the Foreign Corrupt Practices Act (FCPA)* (June 9, 2025), <https://www.justice.gov/dag/media/1403031/dl> (“June 2025 FCPA Enforcement Guidelines”); see also Debevoise & Plimpton LLP, *DOJ Issues FCPA Enforcement Guidelines, Focusing on Conduct Harming U.S. Economic and National Security Interests* (July 1, 2025), <https://www.debevoise.com/-/media/files/insights/publications/2025/07/fcpa-update-june-2025.pdf>.
 4. Indictment, *United States v. Rovirosa*, No. 4:25-cr-00415 (S.D. Tex. Aug 6, 2025); see also U.S. Dep’t of Justice Press Release No. 25-835, *Two Mexican Nationals Charged for Bribing State-Owned Energy Officials* (Aug. 11, 2025), <https://www.justice.gov/opa/pr/two-mexican-nationals-charged-bribing-state-owned-energy-officials> (“DOJ Press Release”).

**DOJ Charges Mexican
Nationals with Bribing PEMEX
Employees in First FCPA Case
Since Resuming Enforcement**
Continued from page 2

The indictment cites WhatsApp text and voice messages as the basis for its allegations:

- *Audit Closure and Payment from PEMEX and PEP.* When an audit prevented Rovirosa’s companies from receiving contracts from PEP, the defendants allegedly bribed a senior internal audit manager assigned to PEP to close the audit.⁵ In exchange, Avila allegedly promised him a “Hublot [watch] as a commission haha”⁶ and a Louis Vuitton handbag.⁷ Avila also allegedly provided him and another foreign official—who worked in land procurement—approximately MXP \$2.5 million in cash for “securing authorizations for payment” from PEP and PEMEX to Rovirosa’s companies.⁸
- *Roads and Platforms Contract.* The defendants also allegedly gave the same internal audit manager, along with another official who worked as a procurement coordinator, a total of about MXP \$220,000 in exchange for ensuring that PEMEX awarded a contract to Rovirosa’s companies.⁹ According to the

“The *Rovirosa* case appears to present a fairly typical FCPA fact pattern: U.S. “domestic concerns” (i.e., lawful permanent residents) allegedly offering cash and luxury goods to employees of a state-owned oil company in order to obtain various business advantages.”

indictment, Avila then directed wire transfers from one of Rovirosa’s companies into accounts owned by Avila’s relative and his assistant and then instructed his assistant to travel to Mexico to hand a cash bribe to a foreign official.¹⁰

Continued on page 4

5. Indictment ¶¶ 17–20; see also *id.* ¶ 13.
6. Indictment ¶ 20.
7. Indictment ¶ 26.
8. Indictment ¶¶ 11, 27.
9. Indictment ¶¶ 10, 28, 38.
10. Indictment ¶¶ 33–38.

DOJ Charges Mexican Nationals with Bribing PEMEX Employees in First FCPA Case Since Resuming Enforcement
Continued from page 3

- *Mechanical Integrity Contract.* The final scheme involved Avila allegedly paying the same official to ignore a report that concluded that Rovirosa’s companies were not in compliance with the technical requirements for a mechanical integrity contract.¹¹ When Avila allegedly sent Foreign Official #1 the bid document that Rovirosa would be submitting, the official responded, “How can I help you with this?” Avila allegedly responded, “Have them give it to him.”¹² In exchange for the official’s intervention, Avila allegedly purchased a treadmill for the official worth about MXP \$26,000.¹³

As of the date of this publication, Rovirosa has been arrested and Avila remains at large.

Analysis and Takeaways

The *Rovirosa* case appears to present a fairly typical FCPA fact pattern: U.S. “domestic concerns” (i.e., lawful permanent residents) allegedly offering cash and luxury goods to employees of a state-owned oil company in order to obtain various business advantages. The face of the indictment does not reveal a link to Mexican cartels or indicate that the conduct harmed U.S. persons or implicated U.S. national security—three of the key factors set forth in the June 2025 FCPA enforcement guidelines.

The indictment does refer to evidence of steps taken to conceal the alleged bribery “including by using encrypted messaging platforms and transferring corrupt payments via cash and goods,”¹⁴ which suggests that DOJ may have determined that this case satisfied the fourth factor (conduct bearing “strong indicia of corrupt intent tied to particular individuals, such as . . . proven and sophisticated efforts to conceal bribe payments”¹⁵).

It appears possible that a link to Mexican cartels remains under investigation. DOJ’s press release in this case initially asserted that “according to court documents, Rovirosa is alleged to have ties to Mexican cartel members.” See *Two Mexican Nationals Charged for Bribing State-Owned Energy Officials*, States News Service (Aug. 11, 2025), <https://plus.lexis.com/api/permalink/46613272-3dc1-4009-8dc7-0257e2c42bcc/?context=1530671>. That line was subsequently removed. See DOJ

Continued on page 5

11. Indictment ¶¶ 45–49.

12. Indictment ¶ 40.

13. Indictment ¶ 52.

14. Indictment ¶ 62.

15. June 2025 FCPA Enforcement Guidelines at 4.

**DOJ Charges Mexican
Nationals with Bribing PEMEX
Employees in First FCPA Case
Since Resuming Enforcement**
Continued from page 4

Press Release, *supra* note 4. The statement may have been based on submissions made by the Government in connection with Rovirosa's bail hearing. There, arguing that Rovirosa posed a flight risk, the Government wrote, "there is evidence that Rovirosa has ties to Mexican cartel members and that he was previously involved in violent conduct in Mexico" and that "[m]ultiple sources and media accounts" have alleged someone with "a close business relationship to Rovirosa is associated with Mexican cartels."¹⁶ The public docket does not reflect any further information about what this alleged evidence may be or how the potential cartel connection may relate to the alleged FCPA violations. In sum, it remains to be seen whether a connection to Mexican cartels emerges in future proceedings.

Andrew M. Levine

Douglas S. Zolkind

Andreas A. Glimenakis

Scott J. Woods

Andrew M. Levine and Douglas S. Zolkind are partners in the New York office. Andreas A. Glimenakis is an associate in the Washington, D.C. office. Scott J. Woods is an associate in the New York office. Full contact details for each author are available at www.debevoise.com.

Continued on page 6

16. Government's Motion to Impose Certain Conditions of Release, *United States v. Rovirosa*, No. 4:25-cr-00415 (S.D. Tex. Aug. 11, 2025) (No. 11).

DOJ Issues First FCPA Declination Under Second Trump Administration

On August 7, 2025, the Department of Justice and the U.S. Attorney's Office for the District of Massachusetts resolved an investigation into global insurance company Liberty Mutual through a declination with disgorgement pursuant to DOJ's updated Corporate Enforcement and Voluntary Self-Disclosure Policy (the "CEP").¹ The declination arrives on the heels of several recalibrations at DOJ, including a multi-month pause of FCPA enforcement activity followed by revisions to the CEP and new FCPA enforcement guidelines.

In February 2025, President Trump issued an executive order pausing FCPA enforcement activity and directing DOJ to prepare new FCPA enforcement guidelines.² On June 9, 2025, DOJ released the new guidelines, which provide a non-exhaustive list of factors for DOJ prosecutors to consider when determining whether to "pursue FCPA investigations and enforcement actions."³ These factors include whether the alleged misconduct involved cartels or transnational criminal organizations, threats to U.S. economic interests or national security, and "strong indicia of corrupt intent tied to particular individuals," including "substantial bribe payments, proven and sophisticated efforts to conceal bribe payments, fraudulent conduct in furtherance of the bribery scheme, and efforts to obstruct justice."⁴

This is the first declination pursuant to the CEP in an FCPA case in nearly a year and the first issued by DOJ during the second Trump Administration. Together with charges recently brought against individuals in an unrelated action (covered in this issue), these developments mark the end of the pause of FCPA enforcement that had been in place since early February.

Continued on page 7

-
1. Letter from U.S. Dep't of Justice, Fraud Section to Wilfredo A. Ferrer, Michael E. Hantman, and Eddie A. Jauregui, Re: Liberty Mutual Insurance Company (Aug. 7, 2025), <https://www.justice.gov/criminal/media/1410761/dl?inline> ("Declination Letter").
 2. Executive Order, *Pausing Foreign Corrupt Practices Act Enforcement to Further American Economic and National Security* (Feb. 10, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/pausing-foreign-corrupt-practices-act-enforcement-to-further-american-economic-and-national-security/>.
 3. The Deputy Attorney General, *Guidelines for Investigations and Enforcement of the Foreign Corrupt Practices Act (FCPA)* (June 9, 2025), <https://www.justice.gov/dag/media/1403031/dl> ("June 2025 FCPA Enforcement Guidelines").
 4. June 2025 FCPA Enforcement Guidelines at 4; Debevoise & Plimpton LLP, *DOJ Issues FCPA Enforcement Guidelines, Focusing on Conduct Harming U.S. Economic and National Security Interests* (July 1, 2025), <https://www.debevoise.com/-/media/files/insights/publications/2025/07/fcpa-update-june-2025.pdf>.

**DOJ Issues First FCPA
Declination Under Second
Trump Administration**

Continued from page 6

Background

According to DOJ's declination letter, between approximately 2017 and 2022, employees of Liberty Mutual's Indian subsidiary, Liberty General Insurance ("LGI"), paid bribes to officials at six state-owned banks in India. In exchange, the bank officials recommended LGI's insurance products to the banks' customers. To conceal the bribes, LGI employees disguised them as marketing expenses and used intermediaries to route the payments. LGI allegedly paid approximately \$1.47 million to the bank officials, resulting in approximately \$9.2 million in revenue and approximately \$4.7 million in profits to LGI.⁵

DOJ's Declination

DOJ declined to prosecute Liberty Mutual under the FCPA, citing several factors from the CEP, including that Liberty Mutual timely and voluntarily self-disclosed the bribery scheme at LGI, cooperated with the government's investigation, remediated the misconduct, and agreed to disgorge the \$4.7 million in profits from the bribery scheme.

DOJ's declination letter states that Liberty Mutual discovered the misconduct during an internal investigation and made a "timely and voluntary self-disclosure" to DOJ's Fraud Section in March 2024. Notably, at the time of the self-disclosure, Liberty Mutual had not yet concluded its internal investigation. As DOJ conducted its own investigation, Liberty Mutual provided "all known relevant facts regarding the misconduct," including information about the relevant employees.⁶ Liberty Mutual also agreed to cooperate with DOJ on any future investigations or prosecutions stemming from the matter. As a result, DOJ credited Liberty Mutual with "full and proactive" cooperation.

Another key factor that led to a declination was that Liberty Mutual took steps to remediate the harm and prevent similar misconduct from occurring in the future. The company terminated culpable employees and conducted a "thorough and systematic root-cause analysis." Furthermore, DOJ cited significant enhancements Liberty Mutual made to its compliance program, including a structural reorganization "with increased legal and compliance resources," a revamping of its compliance policies governing the use of messaging applications, and improved vetting and monitoring of payments to third parties throughout its operations.⁷

Continued on page 8

5. Declination Letter at 1.

6. Declination Letter at 2.

7. *Id.*

**DOJ Issues First FCPA
Declination Under Second
Trump Administration**

Continued from page 7

Finally, DOJ found no aggravating circumstances and credited Liberty Mutual's "early and fulsome" acceptance of responsibility.

Key Takeaways

This is the first FCPA declination under the second Trump Administration, and the first FCPA resolution after DOJ's four-month enforcement pause earlier this year.⁸ Based on the factual information provided in the declination letter, it is possible that Liberty Mutual's and DOJ's investigations may have revealed sufficiently strong indicia of corrupt intent (one of the enumerated factors in the new FCPA guidelines) evidenced through efforts to conceal the bribes by paying them through third parties and recording them as marketing expenses (a relatively

"Under the revised CEP, a company that voluntarily self-discloses misconduct, fully cooperates with DOJ, timely remediates, and has no aggravating circumstances will receive a declination.... The Liberty Mutual declination illustrates how companies can use this clearer path to declinations to resolve enforcement risk."

common fact scenario in many FCPA cases). The misconduct alleged in this case does not appear to fall into any of the other explicitly enumerated factors in the new FCPA guidelines that would support pursuing this case, which may suggest that DOJ may use the "indicia of corrupt intent" factor to continue to pursue cases that present relatively standard FCPA fact patterns that do not implicate the cartels, transnational criminal organizations and national security concerns that figure prominently in the updates guidelines.

Notably, the declination also sheds light on how DOJ will apply its recent revisions to the CEP. On May 12, 2025, DOJ announced a simplified CEP that increases incentives for companies to self-disclose misconduct and cooperate with DOJ investigations.⁹ Under the revised CEP, a company that voluntarily self-discloses misconduct, fully cooperates with DOJ, timely remediates, and has no aggravating

Continued on page 9

-
8. See U.S. Dep't of Justice, Criminal Division, *CEP Declinations* (updated June 11, 2025), <https://www.justice.gov/criminal/criminal-fraud/corporate-enforcement-policy/declinations>.
 9. Debevoise & Plimpton LLP, *DOJ's Criminal Division Announces New White-Collar Enforcement Plan* (May 29, 2025), <https://www.debevoise.com/-/media/files/insights/publications/2025/05/fcpa-update-may-2025.pdf>.

**DOJ Issues First FCPA
Declination Under Second
Trump Administration***Continued from page 8*

circumstances will receive a declination.¹⁰ Previously, these factors created only a *presumption* of a declination. In announcing the CEP update, Matthew Galeotti, Head of the Criminal Division, stated that “[c]ompanies that are ready to take responsibility should not be overburdened by enforcement.”¹¹ Furthermore, in recent remarks, Galeotti has emphasized that so long as companies do not cause undue delays in DOJ investigations, “the Criminal Division will do its part to charge or decline quickly.”¹²

The Liberty Mutual declination illustrates how companies can use this clearer path to declinations to resolve enforcement risk.

Andrew M. Levine

Winston M. Paes

Andreas A. Glimenakis

Andrew Noh

Andrew M. Levine and Winston M. Paes are partners in the New York office. Andreas A. Glimenakis is an associate in the Washington, D.C. office. Andrew Noh is an associate in the New York office. Full contact details for each author are available at www.debevoise.com.

10. U.S. Dep’t of Justice, Criminal Division, *Criminal Division Corporate Enforcement and Voluntary Self-Disclosure Policy* (May 2025), <https://www.justice.gov/criminal/media/1400031/dl?inline>.

11. U.S. Dep’t of Justice, *Head of the Criminal Division, Matthew R. Galeotti Delivers Remarks at SIFMA’s Anti-Money Laundering and Financial Crimes Conference* (May 12, 2025), <https://www.justice.gov/opa/speech/head-criminal-division-matthew-r-galeotti-delivers-remarks-sifmas-anti-money-laundering>.

12. U.S. Dep’t of Justice, *Head of Justice Department’s Criminal Division Matthew R. Galeotti Delivers Remarks at American Conference Institute Conference* (June 10, 2025), https://www.justice.gov/opa/speech/head-justice-departments-criminal-division-matthew-r-galeotti-delivers-remarks-american?utm_source=chatgpt.com.

FCPA Update

FCPA Update is a publication of
Debevoise & Plimpton LLP

66 Hudson Boulevard
New York, New York 10001
+1 212 909 6000
www.debevoise.com

Washington, D.C.
+1 202 383 8000

San Francisco
+1 415 738 5700

London
+44 20 7786 9000

Paris
+33 1 40 73 12 12

Frankfurt
+49 69 2097 5000

Hong Kong
+852 2160 9800

Shanghai
+86 21 5047 1800

Luxembourg
+352 27 33 54 00

Andrew J. Ceresney
Co-Editor-in-Chief
+1 212 909 6947
aceresney@debevoise.com

David A. O'Neil
Co-Editor-in-Chief
+1 202 383 8040
daoneil@debevoise.com

Karolos Seeger
Co-Editor-in-Chief
+44 20 7786 9042
kseeger@debevoise.com

Douglas S. Zolkind
Co-Executive Editor
+1 212 909 6804
dzolkind@debevoise.com

Philip Rohlik
Co-Executive Editor
+852 2160 9856
prohlik@debevoise.com

Andrew M. Levine
Co-Editor-in-Chief
+1 212 909 6069
amlevine@debevoise.com

Winston M. Paes
Co-Editor-in-Chief
+1 212 909 6896
wmpaes@debevoise.com

Jane Shvets
Co-Editor-in-Chief
+44 20 7786 9163
jshvets@debevoise.com

Erich O. Grosz
Co-Executive Editor
+1 212 909 6808
eogrosz@debevoise.com

Andreas A. Gliemenakis
Associate Editor
+1 202 383 8138
aagliemen@debevoise.com

Please address inquiries
regarding topics covered in
this publication to the editors.

All content © 2025 Debevoise &
Plimpton LLP. All rights reserved.
The articles appearing in this
publication provide summary
information only and are not
intended as legal advice. Readers
should seek specific legal advice
before taking any action with
respect to the matters discussed
herein. Any discussion of U.S.
Federal tax law contained in these
articles was not intended or written
to be used, and it cannot be used
by any taxpayer, for the purpose
of avoiding penalties that may be
imposed on the taxpayer under
U.S. Federal tax law.

Please note:
The URLs in *FCPA Update* are
provided with hyperlinks so as
to enable readers to gain easy
access to cited materials.