

FCPA Update

A Global Anti-Corruption Newsletter



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Former Honduran Official Sentenced to Probation in Bribery-Related Prosecution

On June 5, 2026, U.S. District Judge Jacqueline Becerra of the Southern District of Florida sentenced Francisco Roberto Cosenza Centeno (“Cosenza”), a former Honduran government official, for his role in a foreign bribery scheme. Cosenza was sentenced to five years’ probation with home confinement and ordered to forfeit two luxury watches, which he allegedly purchased using funds from the bribery scheme.¹

This case illustrates how the Department of Justice can pursue foreign officials involved in bribery schemes, even when the FCPA itself does not reach the official’s conduct. Additionally, the sentence highlights the breadth of judicial discretion in weighing a defendant’s cooperation and assessing other individual circumstances.

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1. Judgment, United States v. Cosenza Centeno, No. 23-CR-20454-JB (S.D. Fla. June 5, 2026), ECF No. 369; Forfeiture Order, United States v. Cosenza Centeno, No. 23-CR-20454-JB (S.D. Fla. June 5, 2026), ECF No. 367.

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Factual Background

Between 2015 and 2019, Cosenza and other Honduran officials received bribes from Atlanco, a Georgia-based manufacturer of law enforcement uniforms and accessories.² Executives at Atlanco allegedly sought to secure contracts with Comité Técnico del Fideicomiso para la Administración del Fondo de Protección y Seguridad Poblacional (“TASA”), the Honduran government agency responsible for procuring uniforms and other goods for the Honduran National Police.³

The scheme involved two uniform contracts won by Atlanco—a 2015 contract worth approximately \$4.8 million and a 2016 contract worth approximately \$5.6 million—as well as an unsuccessful 2019 bid for a proposed \$7.5 million contract.⁴

The bribes to Honduran officials allegedly were paid through a Florida-based intermediary pursuant to sham invoices and purported brokerage agreements.⁵ The intermediary then reportedly transferred funds to accounts held for the benefit of Cosenza and other Honduran officials in exchange for their assistance in securing TASA contracts for Atlanco.⁶ Over the course of the scheme, Cosenza received approximately \$188,338 in bribes.⁷

As a foreign official (rather than an agent of a U.S. issuer or a “domestic concern” under the FCPA), Cosenza was not charged with substantive FCPA violations, but with money laundering-related offenses.⁸ In August 2025, Cosenza pled guilty to one count of engaging in transactions involving criminally derived property.⁹ In June 2026, Judge Becerra sentenced Cosenza to five years’ probation, to be served through home detention with electronic monitoring,¹⁰ and forfeiture of two Cartier watches purchased with funds traceable to the bribery scheme.¹¹ The home confinement allows Cosenza to leave his residence only for medical reasons.¹²

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2. U.S. Dep’t of Justice, Press Release, CEO of Georgia Company Convicted in International Bribery and Money Laundering Scheme (Sept. 15, 2025), <https://www.justice.gov/opa/pr/ceo-georgia-company-convicted-international-bribery-and-money-laundering-scheme> (“Press Release”).
 3. *Id.*
 4. Factual Proffer, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. Aug. 13, 2025), ECF No. 166.
 5. Press Release.
 6. *Id.*
 7. Factual Proffer at 8, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. Aug. 13, 2025), ECF No. 166.
 8. Indictment, *United States v. Zaglin et. al*, No. 23-CR-20454-CR-BLOOM/TORRES (S.D. Fla. Nov. 29, 2023), ECF No. 3.
 9. Plea Agreement, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. Aug. 13, 2025), ECF No. 165.
 10. Judgment, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. June 5, 2026), ECF No. 369.
 11. Forfeiture Order, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. June 5, 2026), ECF No. 367.
 12. Judgment, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. June 5, 2026), ECF No. 369.

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Analysis

Cosenza’s sentence reflects a substantial downward departure from the advisory range under the U.S. Sentencing Guidelines (the “Guidelines”). Cosenza originally faced up to 10 years in prison. Furthermore, the government portrayed Cosenza as a major participant in the scheme, arguing that he abused his public office, repeatedly accepted bribes, laundered funds through bank accounts he controlled, and personally benefited from the scheme.

Prior to sentencing, however, DOJ filed a motion under § 5K1.1 of the Guidelines requesting that the court reduce Cosenza’s sentence by 25% because he provided substantial assistance in the prosecution of an FCPA case against his co-conspirator, Carl Alan Zaglin (the owner and CEO of Atlanco).¹³ The court’s sentence of probation is significantly more lenient than the custodial sentence reduction requested by the government under § 5K1.1.

“This case illustrates how the Department of Justice can pursue foreign officials involved in bribery schemes, even when the FCPA itself does not reach the official’s conduct.”

The sentence is also substantially more lenient than the prison terms imposed on other co-conspirators in the same bribery scheme, including those who received § 5K1.1 reductions. Two co-conspirators who quickly pled guilty and aided the government’s investigation into Cosenza and Zaglin received custodial sentences and were ordered to pay larger fines.¹⁴ Zaglin, who was convicted of substantive FCPA offenses, received an eight-year prison sentence.¹⁵

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13. The United States of America’s Motion Pursuant to U.S.S.G. § 5K1.1, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. Feb. 17, 2026), ECF No. 334.
 14. The United States of America’s Motion for Departure Pursuant to U.S.S.G. § 5K1.1, *United States v. Marchena*, No. 23-CR-20454-JB (S.D. Fla. Oct. 7, 2025), ECF No. 252; *United States of America’s Sentencing Memorandum, United States v. Molina Rodriguez*, No. 24-CR-20297-MD (S.D. Fla. Nov. 27, 2025), ECF No. 65; Supplemental Sentencing Submission at 3, *United States v. Cosenza Centeno*, No. 23-CR-20454-JB (S.D. Fla. May 21, 2026), ECF No. 365.
 15. U.S. Dep’t of Justice, Press Release, *Georgia Businessman Sentenced in International Bribery and Money Laundering Scheme* (Dec. 3, 2025), <https://www.justice.gov/opa/pr/georgia-businessman-sentenced-international-bribery-and-money-laundering-scheme>; see also Andrew J. Ceresney et al., *The Year 2025 in Review: An FCPA Enforcement Reset and Other Global Anti-Corruption Developments*, FCPA Update, Vol. 17, No. 6 (Jan. 2026), <https://www.debevoise.com/-/media/files/insights/publications/2026/02/fcpa-update-2026-january.pdf?rev=60ad312596044c61ba154a53eee49c57&hash=E748348E3FF3FD8BAE0DD3D8B7ACBCE2>.

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Cosenza's lower sentence may have been driven in part by the fact that he pled guilty to narrower offenses. Because the FCPA does not create a cause of action against foreign officials who accept bribes, DOJ charged Cosenza (and he pled guilty to) money laundering-related offenses. In 2024, Congress enacted the Foreign Extortion Prevention Act ("FEPA") to enable DOJ to prosecute the "demand side" of foreign bribery.¹⁶ DOJ was unable to prosecute Cosenza under FEPA because it was enacted in 2024, years after the conduct at issue. Because FEPA was enacted to mirror the FCPA, foreign officials may in the future face broader charges and steeper sentences as a result.

The court may have also considered Cosenza's medical issues in imposing a noncustodial sentence. Cosenza's sentencing memorandum cited serious physical conditions, including kidney transplant-related issues, Type II diabetes, hypertension, anemia, heart failure, skin cancer, strokes, and progressive dementia, and argued that incarceration would risk aggravating them.¹⁷

Cosenza's sentence may be best understood as an individualized outcome in a case where FCPA and FEPA charges were unavailable for various reasons. It is unlikely to signal more broadly that foreign officials should expect lesser sentences in bribery-related prosecutions, especially since FEPA's enactment. Cosenza's sentence also reflects that courts in such prosecutions may place significant weight on the defendant's cooperation and individual circumstances, even if DOJ seeks a substantial custodial sentence.

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16. 18 U.S.C. § 1352; U.S. Dep't of Justice, Criminal Division, Foreign Corrupt Practices Act Unit, An Overview (last updated Jan. 9, 2025), <https://www.justice.gov/criminal/criminal-fraud/foreign-corrupt-practices-act>.

17. Francisco Cosenza's Sentencing Memorandum at 5-9, United States v. Cosenza Centeno, No. 23-CR-20454-JB (S.D. Fla. Feb. 10, 2026), ECF No. 328.

Bosch Declination Offers First Look at National Security Division's Application of New DOJ Corporate Enforcement Policy

On June 17, 2026, the U.S. Department of Justice's National Security Division ("NSD") announced that it had declined to prosecute Robert Bosch GmbH ("Bosch"), resolving an investigation into potential criminal violations of the Export Control Reform Act ("ECRA"), 50 U.S.C. § 4819, arising from alleged violations of the Export Administration Regulations ("EAR") by two non-U.S. Bosch subsidiaries.¹

The declination is NSD's first under DOJ's new Department-wide Corporate Enforcement and Voluntary Self-Disclosure Policy ("CEP") announced in March 2026.² As grounds for the declination, DOJ cited Bosch's timely voluntary self-disclosure to NSD's Counterintelligence and Export Control Section ("CES") and the Commerce Department's Bureau of Industry and Security ("BIS"), cooperation, timely and appropriate remediation, the absence of aggravating circumstances, the adequacy of parallel regulatory remedies, and Bosch's agreement to disgorge profits. In parallel, Bosch entered into an approximately \$36 million civil resolution with BIS.³

The Alleged Export Control Violations

The declination concerns alleged violations of the EAR, 15 C.F.R. Parts 730–774. According to DOJ, two non-U.S. Bosch subsidiaries re-exported foreign-produced sensor products and automotive software to China-based Huawei Technologies Co. Ltd. and affiliated entities without the required authorization. Huawei and the affiliated entities were listed on the Entity List, which is administered and enforced by the BIS.⁴ The Entity List, maintained under the EAR, identifies persons or addresses reasonably believed to be involved, or that pose a significant risk of becoming involved, in activities contrary to U.S. national security or foreign policy interests. Transactions with parties on the Entity List are subject to licensing requirements and other restrictions.

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1. U.S. Dep't of Justice Press Release, "National Security Division Announces First Declination Under the Department-wide Corporate Enforcement Policy" (Jun. 17, 2026), <https://www.justice.gov/opa/pr/national-security-division-announces-first-declination-under-department-wide-corporate> ("Press Release"); Letter from U.S. Dep't of Justice, National Security Division to Bosch (Jun. 15, 2026), ("Declination Letter").
 2. See Debevoise Debrief, "DOJ Announces Department-Wide Corporate Enforcement Policy" (Mar. 12, 2026).
 3. U.S. Dep't of Commerce Press Release, "Robert Bosch GmbH (Bosch) To Pay \$36 Million Penalty to BIS for Violations Pertaining to Shipments to Huawei" (Jun. 17, 2026).
 4. 15 C.F.R. Part 744, Supplement No. 4.

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As alleged, the Bosch subsidiaries provided Huawei with foreign-produced items that were subject to the Entity List Foreign Direct Product Rule ("FDPR").⁵ The FDPR is an EAR rule that can bring certain foreign-made items within the scope of U.S. export controls if there is a sufficient connection to U.S. technology, software, or equipment and the transaction involves certain parties on the Entity List.⁶

According to DOJ, from approximately September 2020 through September 2024, the Bosch subsidiaries at issue re-exported more than \$70 million in products and software subject to the FDPR to Huawei without the required BIS authorizations, generating more than \$11.4 million in pre-tax profits. DOJ alleged that deficiencies in Bosch's trade compliance function contributed to the violations. The investigation identified several missed opportunities to address the issue, including instances in which third parties flagged the potential application of export controls to their products or to equipment used in providing related services.

DOJ's Declination Determination

According to DOJ, upon discovering these issues, Bosch commenced an internal investigation and voluntarily self-disclosed the matter to CES and BIS while its investigation was ongoing. Bosch also promptly undertook remedial measures.

DOJ stated that it declined to pursue the matter based on its assessment of the factors set forth in the CEP and the Principles of Federal Prosecution of Business Organizations, Justice Manual § 9-28.300. Those factors included:

- Bosch's timely and voluntary self-disclosure;
- Bosch's cooperation, including its disclosure of relevant facts, preservation, collection, and production of relevant documents and information, and prompt responses to CES requests following the self-disclosure;
- Bosch's timely and appropriate remediation, including organizational changes, the addition of 66 employees to its trade compliance organization, the expansion of its U.S. trade compliance resources, and updates to internal policies and procedures; and
- The adequacy of regulatory remedies, including the approximately \$36 million penalty to be imposed by BIS for civil violations under the ECRA and EAR.

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5. See 15 C.F.R. § 734.9(e)(1).

6. Id.

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DOJ conditioned the declination on Bosch's agreement to disgorge \$11.4 million in pre-tax profits, subject to credit for amounts paid to BIS in the parallel civil resolution. BIS separately announced a \$36 million civil penalty and described cross-crediting designed to account for the DOJ disgorgement payment.

The Declination Letter makes clear that it does not protect any individuals from prosecution and that DOJ may reopen the investigation if new information changes its assessment or if the disgorgement condition is not timely satisfied.

Key Takeaways

This is NSD's first declination under the new Department-wide CEP and therefore provides an indication of how NSD—and presumably the Department as a whole—intends to apply the new framework.

- *First*, the Bosch case reinforces DOJ's express policy preference for early disclosure. The CEP encourages companies to disclose potential wrongdoing at the earliest possible time, even if the company has not yet completed its internal investigation. Bosch's disclosure while its investigation was ongoing appears to have been central to DOJ's declination decision. The resolution also underscores the importance of making any voluntary self-disclosure to the appropriate DOJ component, not only to the relevant regulator. In export-control matters, a parallel BIS disclosure may be necessary and appropriate, but Bosch received CEP credit because it disclosed to CES as well as BIS.

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- *Second*, the declination underscores DOJ's continued focus on cooperation and remediation. DOJ specifically cited Bosch's disclosure of relevant facts, production of documents and information, expansion of compliance resources, and enhancement of trade compliance controls as important factors supporting the resolution. DOJ's discussion of Bosch's remedial actions provides a useful benchmark for companies: DOJ credited not only policy updates, but also organizational changes, substantial staffing increases, expanded U.S. trade-compliance resources, and disciplinary action.

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- *Third*, the matter demonstrates that a declination may be available even in cases involving significant potential misconduct. As noted above, the conduct involved more than \$70 million in exports to Huawei over a period of several years and generated approximately \$11.4 million in profits. Nevertheless, DOJ concluded that a declination was appropriate. That said, the declination should not be read as suggesting that scale or duration of the alleged misconduct will be immaterial to DOJ's declination assessments. Aggravating circumstances—such as seriousness, pervasiveness, severity of harm, and recidivism—are central to the declination analysis under the CEP.
- *Finally*, the resolution highlights DOJ's continued effort to encourage self-disclosure in areas implicating national security. This declination builds on NSD's 2024 MilliporeSigma declination,⁷ but unlike MilliporeSigma, which involved a rogue employee and no apparent corporate profit from the charged scheme, Bosch involved multi-year sales by foreign subsidiaries resulting in corporate profits that had to be disgorged and a parallel BIS civil penalty—making the declination a particularly important data point for multinational companies managing export-control risk.

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7. Debevoise Debrief, "DOJ National Security Division Issues First-Ever Declination Under Enforcement Policy" (May 29, 2024), <https://www.debevoise.com/insights/publications/2024/05/doj-national-security-division-issues-first-ever>.

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