

## El Paso Corporation

**Case ID:**

ARW-58

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

United States

**Jurisdiction of Asset Recovery:**

Iraq [Development Fund for Iraq]

United States

**Jurisdiction of Asset Recovery ? Description:**

Undertaking Recovery Effort, Location of Recovery Effort (United States)

**Asset Recovery Start:**

2005

**Asset Recovery End:**

2007

**Legal Basis for Asset Recovery:**

Criminal Prosecution and Restitution

**Intl.Cooperation: MLAT/Letter of Request?:**

Unknown

**Basis for Intl Cooperation:**

Unspecified

**Contributing Factors in Asset Recovery:**

The United States Attorney for the Southern District of New York and El Paso's Non-Prosecution Agreement included a provision for forfeiture of funds which were then transferred the Development Fund of Iraq "to be used as restitution to the people of Iraq as the intended beneficiaries of the proceeds of the sale of all Iraqi oil made pursuant to the United Nations Oil-for-Food Program." (Source: El Paso Non-Prosecution Agreement dated February 5, 2007.)

**Status of Asset Recovery :**

Completed

**Stage in Asset Recovery Chain:**

Assets Returned to Victim or Requesting Jurisdiction

**Agreement for Returned Assets:**

Yes

**Agreement for Returned Assets - Description:**

Forfeited funds returned to people of Iraq via Development Fund of Iraq

**Case Summary:**

In 2007, El Paso entered into a Non-Prosecution Agreement with the United States Attorney for the Southern District of New York to resolve criminal charges filed against it in relation to the UN Oil-for-Food scheme. According to the agreement, El Paso agreed to forfeit to the United States \$5,482,363, "representing the benefits provided to the former Government of Iraq as a result of El Paso's conduct [ ] It is the intent of the United States Attorney's Office for the Southern District of New York to seek the transfer of these funds to the Development Fund of Iraq [ ] to be used as restitution to the people of Iraq as the intended beneficiaries of the proceeds of the sale of all Iraqi oil made pursuant to the United Nations Oil-for-Food Program." (Source: El Paso Corporation Non-Prosecution Agreement, February 5, 2007.)

**Disposition of Criminal Case(s):**

In 2007, El Paso Corporation entered into a Non-Prosecution Agreement with the United States Attorney for the Southern District of New York to resolve criminal charges filed against it. (Source: El Paso Corporation Non-Prosecution Agreement, February 5, 2007.)

**Jurisdiction of Origin: Investigative Agency:**

NA

**Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):**

NA

**Jurisdiction of Origin: Courts Involved:**

NA

**Jurisdiction of Asset Recovery: Investigative Agency:**

Federal Bureau of Investigation, Securities and Exchange Commission, Office of Foreign Assets Control (Department of the Treasury)



**Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):**

United States Attorney for the Southern District of New York

**Jurisdiction of Asset Recovery: Courts Involved:**

N/A

**Documents:**

<b>Attachment</b>	<b>Size</b>
 EI_Paso_SDNY_Non-Prosecution_Agreement_Feb_2007.pdf	252.89 KB
 EIPaso_US_SDNY_Prosecution_PR_Feb_7_2007.pdf	96.17 KB

**Other Sources:**

El Paso Non-Prosecution Agreement, Feb. 5, 2007; US Attorney for the Southern District of New York, "U.S. Announces Oil-for-Food Settlement with El Paso Corporation," Feb. 7, 2007, at [http://lib.law.virginia.edu/Garrett/prosecution\\_agreements/press\\_?release/EIPaso.pdf](http://lib.law.virginia.edu/Garrett/prosecution_agreements/press_?release/EIPaso.pdf)