

Bonny Island Liquefied Natural Gas Bribe Scheme (TSKJ Consortium) / Kellogg, Brown & Root LLC

Case ID:

ST-77

Case Cluster :

Bonny Island Liquefied Natural Gas Bribe Scheme

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Nigeria

Year of Settlement:

2009

Month/Day of Settlement (or Notes):

02/11

Other Jurisdictions of Settlement:

None

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Criminal

Legal Form of Settlement:

Guilty Plea

Monetary Sanctions (Types):

Criminal Fine

Total Monetary Sanctions (US\$):

\$402,000,000.00

Criminal Fine/Penalty (US\$) :

\$402,000,000

Monetary Sanctions Returned / Ordered Returned (US\$):

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.23

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2, Art. 7

Offenses - Alleged:

Conspiracy to Bribe Foreign Officials, Bribery of Foreign Officials

Offenses - Settled:

Conspiracy to Bribe Foreign Officials, Bribery of Foreign Officials

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the June 2011 Report by the United States to the OECD, "From 1995-2004, Kellogg Brown & Root Inc. (KBR), Technip S.A. (Technip), Snamprogetti Netherlands B.V. (Snamprogetti), and JGC were each part of the TSKJ joint venture that was awarded four EPC contracts by Nigeria LNG Ltd. (NLNG), which is 49 percent owned by the government-owned Nigerian National Petroleum Corporation (NNPC). These contracts, which were valued at more than \$6 billion, were part of a four-company joint venture that was awarded four EPC contracts by Nigeria LNG Ltd. (NLNG), which is 49 percent owned by the government-owned Nigerian National Petroleum Corporation (NNPC). These contracts, which were valued at more than \$6 billion, were for the construction of LNG facilities on Bonny Island. In exchange for being awarded these EPC contracts, the joint-venture partners used two agents to pay bribes totaled in excess of \$182 million to a range of Nigerian government officials, including officials of the executive branch of the Nigerian government and officials at NNPC and NLNG." (Source: Report by the United States to the OECD, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions" (June 2011), Bonny Island Liquefied Gas Bribe Scheme Case Summary at 17-19.) The US Department of Justice Press Release noted that "Significant assistance was provided by [] authorities in France, Italy, Switzerland and the United Kingdom." (Source: US Department of Justice Press Release, "Kellogg Brown & Root LLC Pleads Guilty to Foreign Bribery Charges and Agrees to Pay \$402 Million Criminal Fine," February 11, 2009.)

Sources :

Report by the United States to the OECD, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions" (June 2011), Bonny Island Liquefied Gas Bribe Scheme Case Summary at 17-19, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>. US. v. Kellogg, Brown & Root LLC, Case No. 4:09-cr-071 (S.D. Tex.), Information filed February 6, 2009, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/kelloggb/02-06-09kbr-info.pdf>; Plea Agreement filed February 11, 2009, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/kelloggb/02-11-09kbr-plea-agree.pdf>; Judgment filed February 12, 2009, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/kelloggb/02-12-09kbr-judgment.pdf>. US Department of Justice Press Release, "Kellogg Brown & Root LLC Pleads Guilty to Foreign Bribery Charges and Agrees to Pay \$402 Million Criminal Fine," February 11, 2009, accessed at <http://www.justice.gov/opa/pr/2009/February/09-crm-112.html>