

Titan Corporation

Case ID:

ST-360

Case Cluster :

Titan Corporation

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Benin

Year of Settlement:

2005

Month/Day of Settlement (or Notes):

03/01

Other Jurisdictions of Settlement:

Unknown

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\$):

\$13,000,000.00

Criminal Fine/Penalty (US\$) :

\$13,000,000

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

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2, Art. 8

Offenses - Alleged:

Bribery of foreign officials, Falsification of books and records, Filing a false tax return

Offenses - Settled:

Bribery of foreign officials, Falsification of books and records, Filing a false tax return

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the United States June 2011 Report to the OECD, "Titan Corporation (Titan), a Delaware Corporation headquartered in San Diego, CA, is a global provider of military

intelligence and communications solutions. In October 1998, Titan established a joint venture with Afronetwork, a Benin telecommunications company, to build a satellite-based telephone system in Benin. In a November meeting between Titan and Afronetwork, Titan was introduced to a "business advisor" to the president of Benin. Titan subsequently hired the "advisor" to assist with the contract in exchange for 5% of the value of all equipment installed in Benin. Revenues from the contract were close to \$100 million, and Titan subsequently made over \$2.3 million in payments to the agent, including via offshore accounts in Monaco. Titan recorded the payments as "consulting services" in its corporate books and records and broke the payments into smaller increments to make them appear more reasonable." (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), Titan Corporation Case Summary at 116-117.) See also, US v. Titan Corporation, Case No. 05-cr-0314 (S.D. Cal.) documents listed in Sources field.

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), Titan Corporation Case Summary at 116-117, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>. US v. Titan Corporation, Case No. 05-cr-314 (S.D. Cal.), Information filed on March 1, 2005, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/titan-corp/03-01-05titan-info.pdf>; Plea Agreement filed March 1, 2005, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/titan-corp/03-01-05titan-plea.pdf>; Office of the United States Attorney for the Southern District of California, News Release March 1, 2005, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/titan-corp/03-01-05titan-pr-plea.pdf>; Judgment filed March 21, 2005, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/titan-corp/03-21-05titan-judgment.pdf>; Amended Judgment filed April 13, 2005, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/titan-corp/04-13-05titan-judgment.pdf>