

Bush Sr., James Baker Instrumental in Getting Nigeria to Drop Bribery Charges Against Cheney

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Former President George H.W. Bush and ex-Secretary of State James Baker were part of a negotiating team that convinced Nigerian government officials to drop bribery charges against Dick Cheney and Halliburton, the oil services firm he led prior to becoming vice president.

Bush and Baker, whose law firm was [hired](#) by Halliburton in 2004 to handle the bribery allegations, participated in conference call discussions with senior Nigerian government officials, including the country's attorney general, Mohammed Adoke, last weekend on behalf of Cheney in an attempt to work out a settlement, [according to a report published by an African news agency](#).

The negotiations took place in London and included Halliburton representatives.

On Friday, Femi Babafemi, a spokesman for Nigeria's Economic and Financial Crimes Commission (EFCC), the agency that filed the 16-count indictment last week, said the case against Cheney, Halliburton and several other current and former executives has been "formally dropped."

Earlier this week, Babafemi said Halliburton agreed during negotiation talks to a "plea bargain" and to "pay \$250 million in fines in lieu of prosecution." He said the Nigerian government accepted the terms of the settlement.

Last week, after the indictment was filed in Abuja, Nigeria's capitol, Secretary of State Hillary Clinton [said](#), "We do not believe that there will be a basis for further action (requiring Cheney to respond to the charges), but we will look into it."

Moreover, Johnnie Carson, the US Assistant Secretary, Bureau of African Affairs, [told reporters](#) during a conference call last week that the US government was closely following the case against Cheney and had already engaged in discussions about it with Nigerian authorities.

As Truthout previously [reported](#), the charges revolve around \$180 million in bribes executives who worked for Halliburton's former subsidiary, Kellogg, Brown & Root (KBR) paid to Nigerian government officials between 1994 and 2004 in exchange for \$6 billion in construction contracts for the Bonny Island natural gas liquefaction plant. Nigeria is Africa's largest crude oil producer. [Click [here](#) for a complete timeline.]

KBR, which also has handled lucrative US government support contracts for US troops in Iraq and elsewhere, was spun off from Halliburton in 2007 into a separate company. Nigerian

officials had also charged KBR in the bribery case.

The bribes allegedly went to the notoriously corrupt Nigerian dictator Sani Abacha and some of his subordinates and were allegedly laundered through UK lawyer Jeffrey Tesler, who served as a consultant to KBR after it was formed in a 1998 merger that Cheney engineered between Halliburton and Dresser Industries. Tesler was hired in 1995 as an agent of a four-company joint venture that was awarded four engineering, procurement and construction (EPC) contracts by Nigeria LNG Ltd., (NLNG). Tesler was indicted last year by the Department of Justice, which has been conducting its own probe into the matter, and he is fighting extradition to the US.

Baker's alleged involvement in the settlement talks is not surprising given that his law firm, Baker Botts, was hired by Halliburton in 2004 to conduct an internal probe into the bribery scandal. During the investigation, James Doty, a partner at Baker Botts who led the probe, ["discovered" notes](#) written by former KBR employees indicating the firm "may" have bribed Nigerian government officials in exchange for lucrative contracts. Doty, served as general counsel of the Securities and Exchange Commission (SEC) under Bush senior.

More recently, the SEC had questioned Cheney during its two-year-long probe of Halliburton's accounting irregularities and concluded that he should not be held responsible for what went on behind the scenes at the company he ran between 1995 and 2000.

Truthout was unable to reach spokespeople for Bush and Baker. A Halliburton spokesperson declined to comment.

The payment to the Nigerian government will bring an immediate end to the bribery and corruption charges against Halliburton, Cheney and several of the company's current and former executives.

Babafemi added that the payment consists of \$120 million in penalties and the repatriation of \$130 million "trapped in Switzerland," and he expects Adoke to approve of the deal as early as today.

Earlier this month, the Justice Department announced that Tesler's associate, Wojciech J. Chodan, the former vice president to KBR's UK subsidiary, pleaded guilty to violating the Foreign Corrupt Practices Act (FCPA) for in his role in the bribery scandal.

Chodan, who was extradited to the United States from England, is scheduled to be sentenced in February and faces a maximum five years in federal prison.

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Albert "Jack" Stanley, who Cheney had named chief executive of KBR in 1998, was also named in the indictment filed by Nigerian anti-corruption officials. Charges against him have also been dropped.

Stanley was a close associate of Cheney's. The former vice president promoted him in 1998 to head KBR and told the Middle East Economic Digest in 1999 that having Stanley at the helm of the Halliburton subsidiary "has helped us tremendously."

In September 2008, Stanley [pleaded guilty](#) to conspiracy to commit wire and mail fraud to settle charges related to a separate kickback scheme and for conspiring to violate FCPA in connection with bribery case.

According to the DOJ's plea agreement, Stanley started paying bribes in 1995, the year Cheney was named chief executive of the corporation, and ended when Stanley was fired in 2004. Stanley faces seven years in prison and nearly \$11 million in restitution payments. He remains free on bail pending a sentencing hearing scheduled for January.

Last year, KBR pleaded guilty to violating FCPA and admitted that it paid \$180 million in "consulting fees" to Tesler and a Japanese trading company for use in bribing Nigerian government officials. KBR paid a \$402 million fine and Halliburton paid \$177 million in civil penalties as part of its plea deal, which was handled by Baker's law firm.

Nigerians Condemn Settlement

While Nigeria government officials may be satisfied with the settlement agreement, the same cannot be said for some of the country's citizens and activists who had hoped to see the former vice president respond to the charges.

"I would have loved to see Dick Cheney in chains in our court and facing justice in our prisons," [said Celestine AkpoBari](#), program officer at Social Action Nigeria. "That would have been a very big point that would have lifted Nigeria out of its woes."

In a statement, Emmanuel Ulayi, executive director of the Civic Duties Awareness Initiative (CIDAI), an organization that ensures "Nigerians adhere to their civic responsibilities, condemned the decision.

Uliya said the settlement is evidence that "the fight against corruption is dead and have never been real in Nigeria." He said if the Nigerian government was serious about rooting out corruption "it would not have reach this kind of understanding."

Owei Lakemfa, a columnist for Nigeria's Daily Vanguard, [said](#) Friday Cheney "is an international crook who should be in jail in his country, Iraq, Netherlands, Afghanistan, Britain, Azerbaijan or in Nigeria...But unfortunately, the scales of justice are not balanced, so he will escape justice with his loot

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