

January 23, 2023

Reta Jo Lewis
Chair, US Export-Import Bank (EXIM)
Washington, DC

CC: Senate Banking Committee
House Financial Services Committee
US Department of Justice
US Export-Import Bank Office of Inspector General
US Export-Import Bank Board of Directors

RE: Reported Corruption Charges Against EXIM Client Trafigura Pte.

Dear Chairwoman Lewis,

We write concerning the US Export-Import Bank (EXIM) Board of Directors approval on July 13, 2023 of Financial Institution Buyer Credit (FIBC) policies for two lenders that will allow the oil and gas commodity trader Trafigura Pte. to purchase liquid natural gas for export from the United States, despite ongoing criminal investigation of the firm by US and Swiss law enforcement authorities.

As you may be aware, this month media reports of criminal investigations of Trafigura by US & Swiss law enforcement authorities have come to light that put into question whether the company should be eligible to continue to receive support from the EXIM. We respectfully request that EXIM immediately terminate its relationship with Trafigura based on these serious allegations of corruption including bribery.

On December 6, 2023 Bloomberg and other major news outlets reported that the United States and Swiss authorities have brought charges against Trafigura alleging that the company and one of its longtime high level executives [bribed public officials in Angola](#). Reportedly, Trafigura made payments of over \$5 million between April 2009 and October 2011 for activities in Angola's petroleum industry in exchange for Angolan officials favoring Trafigura in shipping contracts. The alleged profits from those bribes was almost \$150 million. The U.S. Department of Justice (DOJ) is also investigating Trafigura for improper payments in Brazil.

In addition, staff at Trafigura allegedly worked to [cover up fraudulent nickel shipments](#) in order to avoid raising suspicion from Citigroup, a key lender. According to Bloomberg, WhatsApp and email exchanges demonstrate how Trafigura employees tried to prevent potentially suspicious trading activities from receiving additional scrutiny from Citigroup.

EXIM's anti-bribery and anti-corruption policies forbid such behavior. As you know, EXIM requires applicants to [certify](#) that neither they nor their agent or representative has or will engage in any activity "*in connection with this transaction*" that is a violation of the Foreign Corrupt Practices Act. Therefore, we request responses to the following questions:

- Was EXIM aware of the DOJ and Swiss investigations when EXIM conducted its due diligence of Trafigura prior to the July 13 financing approval by EXIM's Board of Directors?
- If so, why did EXIM approve finance for a company under multiple investigations for corruption including bribery?
- If not, what changes to EXIM's due diligence processes is EXIM making to ensure it has full knowledge of allegations of corruption against potential applicants?

EXIM should strengthen its anti-corruption protections to require applicants to disclose all allegations of fraud and bribery by US and other national law enforcement authorities. Moreover, EXIM's due diligence should have revealed these serious allegations and prevented approval of support for Trafigura.

These cases seem to indicate that Trafigura possibly prioritizes profit over anti-corruption and anti-bribery measures. Their massive [profits of \\$7.4 billion this year](#) allowed them to pay out an additional almost \$6 billion in dividends to its shareholders and owners. Moreover, these allegations of bribery reach the very top of Trafigura management, as evidenced by the fact that Trafigura's Chief Operation Officer, who had been part of a three person team running the company for a decade, [was charged with corruption](#) in the Angola case. This charge of bribery at the very top shows that it is not a few mid-level bad apples who are responsible, but possibly a corporate-sanctioned, decades long practice of encouraging corruption to increase profit.

We request that EXIM immediately terminate its support for Trafigura and in doing so send a strong signal that the U.S. government is not willing to work with entities under investigation for fraud or bribery.

Sincerely,

Friends of the Earth United States
Oil Change International
Public Citizen