

In the Matter of TechnipFMC plc. (2019)

Nature of the Business.

TechnipFMC plc is a publicly traded oil and gas company in the United States. It was formed in 2017 following the merger of Technip S.A. and FMC Technologies, Inc.

FMC Technologies was a Houston-based oil field services company and one of the predecessor entities to TechnipFMC.

Influence to be Obtained.

The SEC alleges that, from 2008 to at least 2013, FMC Technologies used a Monaco-based intermediary to bribe at least seven Iraqi government officials to obtain contracts to provide metering technologies in the gas and oil industries. Allegedly, FMC Technologies entered into false consultancy agreements with the intermediary company for which there was no evidence of services rendered. The intermediary company was able to use subagents and success-fee based compensation without adequate due diligence to be forwarded to Iraqi officials. Further, the SEC alleges that the consultancy agreements and a site installation were falsely characterized in the books and records as legitimate payments and that FMC Technologies failed to devise and maintain a system of internal accounting controls.

Enforcement.

On September 23, 2019, the SEC issued a cease-and-desist order against TechnipFMC for violations of the anti-bribery, books-and-records, and internal controls provisions of the FCPA. Pursuant to the order, TechnipFMC agreed to pay a disgorgement of \$4,327,194 and prejudgment interest of \$734,712 and undertake self-reporting for three years. According to the cease-and-desist order, the SEC took consideration of the company's cooperation and remediation in determining whether to accept TechnipFMC's offer of settlement.

The DOJ had previously reached a deferred prosecution agreement with TechnipFMC. TechnipFMC's subsidiary, Technip USA, Inc., and a consultant to TechnipFMC pleaded guilty to conspiracy to violate the FCPA.

Key Facts

Citation. *In the Matter of TechnipFMC plc*, Admin. Proc. File No. 3-19493 (Sept. 23, 2019).

Date Filed. September 23, 2019.

Country. Iraq.

Date of Conduct. 2008 – 2013.

Amount of the Value. Not stated.

Amount of Business Related to the Payment. Profits of \$4 million.

Intermediary. Intermediary.

Foreign Official. Iraq Ministry of Oil.

FCPA Statutory Provision. Anti-Bribery; Books-and-Records; Internal Controls.

Other Statutory Provision. None.

Disposition. Cease-and-Desist Order.

Defendant Jurisdictional Basis. Issuer.

Defendant's Citizenship. United States.

Total Sanction. \$5,061,906.

Compliance Monitor/Reporting Requirements. Three-year Reporting Requirement.

Related Enforcement Actions. *United States v. TechnipFMC plc.*; *United States v. Technip USA*; *United States v. Skornicki*.

Total Combined Sanction. \$301,245,906.¹

¹ Includes \$214,000,000 in criminal penalties to be paid to the Ministerio Publico Federal in Brazil, which the DOJ will credit.