



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 13th September, 2006

1. The Senate met at 10:20 a.m. The Senate President read Prayers.
2. Votes and Proceedings:
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 12th September, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. Message from Mr. President:
The Senate President announced that he had received two letters from the President, Commander-in-Chief which he read as follows:
(i)



PRESIDENT, FEDERAL
REPUBLIC OF NIGERIA

PRES/134

7 September, 2006

Senator Ken Nnamani,
President of the Senate,
Senate Chambers, National
Assembly Complex\|
Three-Arms Zone, Asokoro -
Abuja.

Dear President of the Senate,

RE: FORMAL WITHDRAWAL OF SOME BILLS PENDING
BEFORE THE NATIONAL ASSEMBLY

Further to my letter PRES/134 dated August 23, 2006 on the above subject matter (copy attached) asking for the withdrawal of some Bills pending before the National Assembly, I write to inform you that I have rescinded my decision to withdraw the Bill for an Act to Provide for the Establishment of the National Agency for the Prevention and Control of HIV/AIDS and Matters Connected Therewith.

/ will appreciate if the Bill could now be slated among other Bills pending before the National Assembly for passage into law, while the remaining three Bills should be withdrawn as advised in my letter under reference.

Accept, Mr Senate President, the assurances of my highest consideration.

Yours Sincerely,
Signed: OLUSEGUN
OBASANJO

(ii)



PRESIDENT, FEDERAL
REPUBLIC OF NIGERIA

PRES/134

12 September, 2006

Senator Ken Nnamani,
President of the Senate, Senate
Chambers, National Assembly
Complex, Three-Arms Zone,
Asokoro - Abuja.

Dear President of the Senate,

RE: INVESTIGATION REPORT: ALLEGED CONSPIRACY,
FRAUDULENT CONVERSION OF FUNDS, CORRUPT
PRACTICES AND MONEY LAUNDERING

Following my PRES/134 dated September 6, 2006, I regret to inform you that the letter addressed to me by Congressman William J. Jefferson and my reply to him were left out in the original letter addressed to you for information. It was an omission on the part of the Despatch Clerk.

The two letters are hereby attached and they should be treated as part of my original letter of September 6, 2006.

Accept, Mr. Senate President, the assurances of my highest consideration.

Yours Sincerely,
Signed: OLUSEGUN
OBASANJO

Attached to the Votes and Proceedings as Annexure "A " are the correspondences between Mr President and Congressman William J. Jefferson.

4. Matter of Urgent Public Importance:
Rising on Rule 42, Senator Fidelis Okoro drew the attention of the Senate to the collapses of Democratic Governance at all Local Governments in the Federation, particularly in Enugu State. He therefore sought and obtained the leave of the Senate to bring up the matter the next legislative day.
5. Rural Development Board (Establishment, etc.) Bill 2006 (SB. 328) — *Read the First Time.*
6. National Assembly Budget and Research Office Bill 2006 (Sb. 334) — *Read the First Time.*
7. Executive Communication:
Motion made and Question Proposed: That the Senate do consider the communication from Mr President, Commander-in-Chief on the Report of the Administrative Panel of Inquiry on the Economic and Financial Crime Commission (EFCC) Investigation Report (*Senate Majority Leader*).

Question put and agreed to.

Motion made and Question Proposed: That the Report be referred to the Committee of Judiciary, Human Rights and Legal Matters to advise the Senate on the proceedings to be adopted by the Senate (*Senate Majority Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Judiciary, Human Rights and Legal Matter to report back in two weeks.

8. Committee on Establishment and Public Service Matters:
Report on the Screening of Chief Oluwole Alani Adeosun as Chairman, National Pension Commission (PENCOM):

Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee of Establishment and Public Service Matters on the screening of Chief Oluwole Alani Adeosun as Chairman National Pension Commission (PENCOM) and approve the recommendations (*Senator Felix O. Ibru*).

Question put and agreed to.

Report Presented and Laid.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Majority Leader*).

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee of Establishment and Public Service Matters on the screening of Chief Oluwole Alani Adeosun as Chairman National Pension Commission (PENCOM)

Debate:

Nominee Recommended:

Chief Oluwole Alani Adeosun — Chairman, National Pension Commission (PENCOM)— *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service Matters on the screening of Chief Oluwole Alani Adeosun as Chairman, National Pension Commission (PENCOM) and recommended him for confirmation.

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Confirmation:

Question:

"Will the Senate confirm the nomination of Chief Oluwole Alani Adeosun as Chairman, National Pension Commission (PENCOM)?" — *Resolved in Affirmative.*

Nomination of Chief Oluwole Alani Adeosun as Chairman, National Pension Commission (PENCOM) accordingly confirmed,

9. Committee on Judiciary, Human Rights and Legal Matters:
Report on the Screening of Alhaji Muhammed Lele Mukhtar:
Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee of Judiciary, Human Rights and Legal Matters on the screening of Alhaji Muhammed Lele Mukhtar as a member of the Federal Judicial Service Commission and approve the recommendations (*Senator Oserheimen A. Osunbor*).

Question put and agreed to.

Report Presented and Laid.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Majority Leader*).

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee of Judiciary, Human Rights and Legal Matters on the screening of Alhaji Muhammed Lele Mukhtar as a member of the Federal Judicial Service Commission.

Debate:

Nominee Recommended:

Alhaji Muhammed Lele Mukhtar — Member Federal Judicial Service Commission — *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Judiciary, Human Rights and Legal Matters on the screening of Alhaji Muhammed Lele Mukhtar as a member of the Federal Judicial Service Commission and recommended for confirmation.

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Confirmation:

Question:

"Will the Senate confirm the nomination of Alhaji Muhammed Lele Mukhtar as a member of the Federal Judicial Service Commission?" — *Resolved in Affirmative.*

Nomination of Alhaji Muhammed Lele Mukhtar as a member of the Federal Judicial Service Commission accordingly confirmed.

10. Conference Report on the National Boundary Commission Bill 2006 (SB. 96):

Motion made and Question Proposed: That the Senate do receive and adopt the Conference Report on the National Boundary Commission Bill 2006 (*Senator Iyabode Anisulowo*).

Question put and agreed to.

Report adopted.

11. Committee on Public Accounts:

Report on Office of the Auditor-General of the Federation Bill 2006 (SB. 266):

Motion made and Question Proposed: That the Senate do resume the consideration of the Report of the Committee on Public Accounts, on the Office of the Auditor-General of the Federation Bill 2006 (SB. 266) (*Senator Saidu M. Dansadau*).

Question put and agreed to.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to resume consideration of the Committee Report (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE OFFICE OF THE AUDITOR-GENERAL FOR THE FEDERATION AND FOR MATTERS CONNECTED THEREWITH

Debate:

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Public Accounts on the Report on Office of the Auditor-General of the Federation Bill and recommitted the Bill to the Committee for further legislative action.

12. Federal Competition Bill 2006 (SB. 237):

Motion made and Question Proposed: That the Federal Competition Bill 2006 be read the Second Time (*Senate Majority Leader*).

Debate:

Bill by leave of Senate withdrawn.

13. Nigerian Minerals and Mining Act (Repeal and Re-Enactment) Bill 2006 (HB. 87):

Motion made and Question Proposed: That the Nigerian Minerals and Mining Act (Repeal and Re-Enactment) Bill 2006 be read the Second Time (*Senate Majority Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Solid Minerals to report in four weeks.

14. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 14th September, 2006 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1.05p.m.

Ken Nnamani
President of the Senate



9 June 2004

PRES/131

Congressman William J. Jefferson
House of Representatives, Washington,
D.C USA

Thank you for your letter on the business dispute between the company iGate that you helped navigate into Nigeria and Otunba Fasawe's company, NDTV.

Otunba Fasawe is someone i know but my Vice President with whom he has been associated for a longer time knows him better.

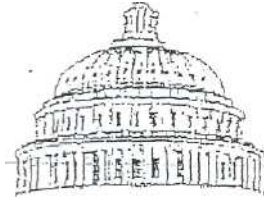
] also have no knowledge of his business interests, including any that he may jointly pursue with any of his friends.

I would advise that you continue to encourage iGate and NDTV including Otunba Fasawe to take every step possible, toward an amicable resolution of their current business dispute.

On the aspect of your letter touching on a government agency, the Petroleum Development Trust Fund, I have taken immediate steps to ensure full investigation of its activities in order to establish the veracity of the allegation made on the use of its resources to settle the obligations of NDTV, a private company. I shall, of course, keep you informed of any findings from this investigation, as it is necessary for you to know that our anti-corruption strategy is focused and without reservations.

Finally I thank and challenge you not to relent in your obviously fruitful effort to attract legitimate and mutually beneficial US investors - into Nigeria as a good friend of our country.

Yours sincerely
Olusegun Obasanjo
OLUSEGUN OBASANJO



HOUSE OF
REPRESENTATIVE
WASHINGTON, DC

William J. Jefferson
Second Congressional
District
Louisiana

May 28, 2004

His Excellency Chief Olusegun Obasanjo
President
Federal Republic of Nigeria
Abuja, Nigeria

Your Excellency:

It was my hope to visit with you to share a project created through the genius of an African American technologist, Vernon L. Jackson, Chairman and CEO of iGate. Inc. The Technology project, to be actualized as a partnership between iGate and a Nigerian business entity, will revitalize the economy of Nigeria. The introduction of innovative and unique technology in Nigeria is an area that you and I have discussed as the most important way to "jump start the economy. The technology consists of an application that obtained speeds usually only reachable on expensive fiber optics over plain, simple, copper telephone wire. Nigeria could, therefore, become the broadband hub of Africa, reaping huge economic, societal and educational benefits for Nigeria. The project would also achieve, the collateral benefit of elevating the value of NITEL, since NITEL would enjoy a profit share from the new business in new Internet and cable television services that it would be empowered to provide through this technology - all at no cost to NITEL or the Federal Republic of Nigeria. (See attached "Digital and Multi-Media Project")

Regrettably, instead of presenting you this very important project for Nigeria, I have been made aware that the greed of two individuals who's lost their opportunity to get the project done for their company, NDTV, have thwarted meeting through a deceitful and false petition to you alleging heinous offenses on my part and that of iGate, Inc. and its principals. This has understandably caused confusion and consternation on your part and that of your assistants such

that I have decided to withdraw the request for this meeting and to place before you an explanation of why the petition should be completely disregarded and seen for what it is - a desperate attempt to prevent this project from going forward in Nigeria.

I have known you and have worked for the benefit of Nigeria and Africa in the United States for many years. I have vouched for Nigeria as a place for U. S. investment through my work as Chairman of the Nigerian Caucus and brought investment to Nigeria and to Africa. I have been careful to avoid conflicts and shady dealings. As a result, in my nearly thirty years of encouraging and working with U. S. businesses throughout Africa and working with African leaders and business people, my name has not been associated with even a hint of a scandal in Africa or anywhere in the world. I would never disgrace my relationship with you or my good family name through dishonesty or scandal in Nigeria nor elsewhere. And I have not done so in the instance at hand.

The petition submitted to you by Mr. Fashawe is predominantly laced with lies, amid a few factual truths. But the lies go to the heart of the deception and greed. It is true that I introduced Vernon Jackson and iGate to NDTV as a result of the Sullivan Conference in Nigeria in July 2003. In fact, that was the point of the conference - to bring African and African-American business people together. I did not write nor negotiate the agreement struck between iGate and NDTV. Their agreement was purely their own as independent business leaders. I also introduced the parties to the U. S. Export-Import Bank officials in Washington and the parties made their own arrangements with Ex-Im Bank, as well. Subsequent to these agreements being made, Vernon Jackson informed me that NDTV had defaulted on the basic agreement by not making timely payments and that he had placed NDTV in default. Mr. Fashawe called me and pleaded for me to permit him and Mr. Jackson to come to my home in Louisiana and to urge Mr. Jackson and iGate to continue working with NDTV. This I did. And the parties seemed to settle their disputes and agreed to move on. But this was short lived, as Mr. Jackson later advised that the agreement continued in default. Finally, as I understand it from Mr. Jackson, payments totaling \$6.5 million were made in January 2004, nearly six months after they were due in August 2003 and well short of the amount due to be paid in January 2004; and that these payments were made after months of expense and embarrassment suffered by iGate with its subcontractors and vendors for. The project in a last ditch effort to save the project I urged Mr Jackson to bring his team to Nigeria on a business mission that I led in February of this year. On this mission were included representatives of Verizon, George Stevens Services, Stolt, and other U. S. companies, including iGate, all seeking to do business in Nigeria. I also brought members of my staff who met with various officials of your government, including those responsible for implementing AGOA. And, as you remember, I met with you to discuss some of these matters including the hope of establishing a fertilizer company in Nigeria.

After Mr. Jackson's trip to Nigeria with his team, he reports to me that iGate became convinced that it would lose money on the project with its current partner. NDTV; that the principals of NDTV had misled him as to their financial capability to complete the project and he' deemed it necessary to discontinue the relationship and to find a new way to bring his Technology to Nigeria. And, Mr. Jackson reported another disturbing matter that he learned his trip. One of the principals of NDTV demanded a Stick-hack of one million dollars of the 5

million. Additionally, Mr. Jackson reported to me that he was deeply troubled by comments made to him by the "managing director of NDTV that the funds were delayed on the contract because they were expecting funds allegedly related to Petroleum Trust Development Fund (PTDF) fixed deposits to pay for the rest of the project. Mr. Jackson worried that this source of -payment might be improper or perhaps even illegal. -After- hearing- this -from Mr. Jackson therefore refused to be of further help to NDTV to continue its contract with iGate as I did not want a smudge on my reputation, nor that of iGate or Mr. Jackson in dealings in Nigeria. A final concern that Mr. Jackson reported to me, unrelated to the contract violations, nonetheless disturbing, was that he feared he would become involved in Nigerian politics. This is because two of the principals of NDTV continued to press him to agree to have their partnership provide funds out of upcoming operations for the 2007 elections for the current Vice President of Nigeria to become President. At bottom, this is all there is to the matter- a business dispute that is left to be settled between the parties through good-faith negotiations - not through outrageous claims of wrongdoing.

All of what I have said in the foregoing can be and will be supported and vouched for by the Deputy Managing Director of NDTV, Mr. Dumebi Kachikwu, who is as horrified as iGate and I are by Mr. Fashawe's false petition. What is quite perplexing to me at this point, in addition to all else, is that Mr. Fashawe spoke with me a little over a week ago to ask me to talk to Mr. Jackson to see if settlement talks could be started. Against my better judgment, and in the spirit of restoring good relations between a Nigerian company and an African American business, I proceeded to do so, which generated my hand-written note to Mr. Fashawe. His actions against iGate, Mr. Jackson, and even me, today, can only be explained on the basis that he still wants the project for himself and NDTV and is not interested in what is best for Nigeria. There are other outrageous claims made by Mr. Fashawe in his petition. For instance, that iGate does not own the patents to the broadband technology that it claims. But iGate's technology has been verified through tests performed by the U. S. Army and Siemens. That is to say by government and the commercial sector. iGate's technology is employed and used by Siemens, the U. S. Army, NASA, and Verizon as representative customers. iGate's patents and business relations are displayed on its excellent website at www.igateinc.com for all the world to see. iGate has, in fact, successfully demonstrated its technology to Nigeria's Minister of Communications, to the Nigeria Communications Commission, and to representatives of NITEL according to reports made to me by Mr. Jackson. The claim that iGate has neither the

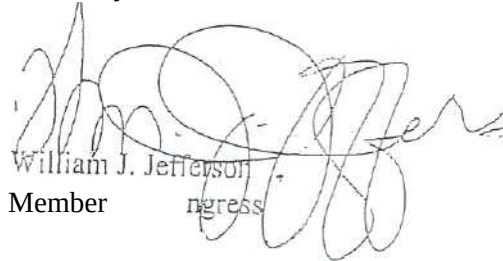
— _technology nor _the technical expertise to deliver

wrong and spurious. Therefore, no deceptive or untrue claim has been made by iGate or me in respect to iGate's capabilities. For the record, I have two sons-in-law, neither of whom works for iGate as Fashawe's petition claims. I have never received a cent from iGate. Inc. in political contributions. Vernon Jackson and his wife have contributed to my campaigns, a few thousand dollars per year as the law permits, but this hardly qualifies Mr. Jackson as a "sponsor" of my political aspirations as Mr. Fashawe claims. Because I believe in the technology that iGate has developed, I have encouraged friends and members of my family to invest in the company, but I have not, myself, made a direct investment in iGate.

I have asked Mr. Jackson to address those parts of Mr Fashawe's petition of which I do not have personal knowledge His letter as to the work he did on the project and the expenses he incurred relating to prepare for it is attached.

I hope that I will get the chance to visit with you when you are in Washington on June 9 to further clarify these matters. It would be great if, on That occasion, you could also meet with Mr. Vernon Jackson and have his engineers present to you its outstanding technology. I have long enjoyed your friendship and support and you mine and it is important to me that you fully understand that all my actions in regard to supporting these parties were honest, above-board, and in the best interest of Nigeria.

Sincerely,



William J. Jefferson
Member Congress
