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Description of document: Closing Status Reports for Seventeen (17) investigations by Export-Import Bank of the United States (EXIM Bank) Office of Inspector General (OIG) Office of Investigations, 2015-2017

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Export-Import Bank of the United States  
Freedom of Information and Privacy Office  
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[Online Freedom of Information Act Request Form](#)

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07/11/2017

**Re: FOIA Request # 201700035**

This is the final response to your Freedom of Information Act (FOIA) request to the Export-Import Bank of the United States (Ex-Im Bank). You requested a "listing or index, of all closed investigations by your agency's Office of the Inspector General during calendar year 2015 and 2016."

The records maintained by the Office of Inspector General produced the enclosed document responsive to your request. The document is attached, and redactions are noted with the corresponding FOIA exemption:

**FOIA Exemption 5** protects inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.

**FOIA Exemption 6** exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy.

**FOIA Exemption 7(A)** permits the withholding of records or information compiled for law enforcement purposes, when the disclosure of such information could reasonably be expected to interfere with an ongoing enforcement proceeding in which final action has not been reached. The closed cases redacted under this exemption are related to ongoing cases.

**FOIA Exemption 7(C)** protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in



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law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate.

**FOIA Exemption 7(E)** protects law enforcement information which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. §552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all of our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You have the right to appeal the action on this request by writing to the Export-Import Bank of the United States, Attention: Assistant General Counsel for Administration, 811 Vermont Avenue, N.W., Washington, DC 20571. Any appeal must be received by that office within 90 days from the date of this letter. The phrase "FOIA APPEAL" should appear on the letter and on the outside of the envelope containing the appeal. You may also submit an appeal by E-mail at [FOIA@EXIM.GOV](mailto:FOIA@EXIM.GOV). If sending via e-mail, please put "FOIA APPEAL" in the subject line of your e-mail. You also have the right to seek assistance from the agency FOIA Public Liaison who can be reached at (202) 565-3290, as well as the Office of Government Information Services or OGIS at (202) 741 5770.

If you have any questions about this response, please contact me at (202) 565-3974 or by E-Mail at [Parisa.Salehi@exim.gov](mailto:Parisa.Salehi@exim.gov).

Sincerely,

Parisa Salehi  
Counsel



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Export-Import Bank of the United States  
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**CLOSING STATUS REPORT**

<b>Title:</b> Parker, Andrew Maxwell (et.al)	<b>Date Opened:</b> April 16, 2008
<b>Case No:</b> 07-0026-DOJ-PI-C	<b>Closing Date:</b> January 22, 2015
<b>Agent:</b> (b) (6)	

**Allegations:**

This investigation was initiated based on information from the Office of General Counsel (OGC), Ex-Im Bank, indicating that Andrew Parker (Parker), President, San Antonio Trade Group (SATG), was involved in a series of suspected fraudulent transactions resulting in several defaults on loans financed by Ex-Im Bank. This case was originally investigated by the Federal Bureau of Investigation (FBI), San Antonio, TX, in 2005 and conducted in coordination with the U.S. Attorney's Office, Western District of Texas and Assistant United States Attorney (AUSA)(b) (7)(C). Subsequent investigation found that Parker would receive loan proceeds pursuant to several transactions, and keep those proceeds for personal enrichment and/or subsequent distribution to family, relatives, and related parties without shipping goods as represented to Ex-Im Bank on each of the transactions. The Internal Revenue Service Criminal Investigations (IRS-CI) joined the investigation around January 2008; however, since the investigation was transferred to the DOJ Fraud section, IRS and FBI have not participated. This investigation was conducted under suspected violations of 18 USC 1341 (mail fraud), 18 USC 1343 (wire fraud), 18 USC 1344 (Bank Fraud), 18 USC 371 (Conspiracy), and 18 USC 1956 (money laundering).

**Quarterly Summary:**

Financial analysis has resulted in the identification of 68 transactions with Ex-Im Bank in which San Antonio Trade Group served as an exporter, resulting in loan defaults and claims in the amount of \$114,231,440.17. Recoveries to date have totaled \$19,480,299.10.

On May 1, 2008, Parker was arrested on conspiracy, wire fraud, money laundering, false statements, and tax charges. Parker was previously indicted by a federal grand jury which charged that from February 2003 to November 2006, Parker construed a scheme to defraud Ex-Im Bank by stealing millions of dollars in loan proceeds, and defrauding lenders in transactions insured or guaranteed by Ex-Im Bank. On August 21, 2008, Parker pled guilty to eleven counts of the indictment including conspiracy, wire fraud, money laundering, tax evasion, and filing false tax returns. On October 27, 2008, Parker was sentenced to 117 months in prison, 36 months' probation, \$10 million in restitution, forfeiture of a vehicle and residential property, and a special assessment of \$1,100.

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On February 27, 2009, former Ex-Im Inspector General (IG) (b) (6) met with the Chief, Criminal Division, Western District of Texas, in San Antonio Texas in order to determine the extent of further prosecutive interest in this matter. IG (b) (6) reported that the Western District of Texas would support moving venue of this matter to Washington DC, Criminal Division, Fraud Section, due to limitations on time and resources within the Western District. The Western District still anticipated the pending plea agreement and prosecution of co-conspirator, (b) (7)(C).

On June 26, 2009, a meeting was held with (b) (7)(C) DOJ Criminal Division, Fraud Section. (b) (7)(C) was apprised of the investigation and indicated he would accept transfer of the case from Western District of Texas.

(b) (7)(E)

It was agreed that Western District would maintain control over the investigation of (b) (7)(C) and the Washington, DC Fraud Section would continue to pursue prosecution of Gerardo Uribe, Loan Officer, (b) (7)(C), and any remaining targets.

On September 10, 2009, FBI SA (b) (7)(C) signed over all evidence obtained by the FBI to the reporting agent. On September 11, 2009, approximately 137 boxes of documents maintained by (b) (7)(C) and the FBI were shipped to Ex-Im OIG. (b) (7)(E)

(b) (7)(E)

On March 4, 2010, and subsequently on March 17<sup>th</sup> and 18<sup>th</sup>, Ex-Im Bank recovery contractor, (b) (7)(C), received several emails from an individual purporting to be Andrew Parker, and was interested in buying the SATG "portfolio". (b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

DOJ Trial Attorney (b) (7)(C) left DOJ Fraud on February 11, 2011, and subsequently on June 29, 2011, DOJ Trial Attorney (b) (7)(C) was assigned to finalize Uribe's plea and sentencing.

(b) (7)(E)

Following discussions with AUSA (b) (7)(C) ; Fraud Section USAO-Southern District of Texas, SA (b) (7)(C) advised that his office would be closing their investigation on (b) (7)(C) and (b) (7)(C) ..

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On October 6, 2011, Gerardo Uribe, former loan officer for (b) (7)(C), pled guilty to a criminal information (filed September 20, 2011) charging him with violations of 18 USC 2 and 18 USC 215. He was subsequently sentenced on January 27, 2012, in the Western District of Texas, San Antonio, by Judge Fred Biery, for his role in the receipt of a bribe from (b) (7)(C). Uribe received four months' work release and four months home monitoring along with 5 years' probation and a \$200 special assessment.

On October 26-27, 2011, (b) (7)(C) assisted in reviewing Ex-Im SATG transactions that involved (b) (7)(C) loan officer (b) (7)(C). Transaction files were assembled along with emails and correspondence in anticipation of an indictment of (b) (7)(C) in El Paso, TX.

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(C) subsequently advised that as a result of the lack of additional information and/or evidence, he has closed his file on (b) (7)(C).

(b) (7)(E)

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(b) (7)(E)

On February 26, 2014, Andrew Parker responded to a letter requesting permission to destroy evidence seized as a result of two federal search warrants on his residence and office space in San Antonio, TX. Parker stated that he wished to retain the evidence for use in an appeal he has filed and to have it shipped to Federal Correctional Institution (FCI) Bastrop. A letter was sent in response indicating Bastrop's policy that only one box may be retained by any inmate and to suggest a friend or alternate place to send the documents. Additional letters were sent to Parker requesting a family member or his attorney to accept the documents. Parker stated he was currently representing himself and that he had no family members. On May 2, 2014, contact was made with Parker's cousin who said he would accept the documents. Subsequent contact with Parker indicated he did not want his cousin to accept the documents.

On December 16, 2014, (b) (7)(C) , Assistant U.S. Attorney(AUSA) for the Western District of Texas San Antonio, Texas stated that her office would accept the boxes and keep them in storage until such time they can be destroyed. On January 16, 2014, two pallets of boxes were shipped to the AUSA's office in San Antonio and received on January 21, 2014.

As a result of the declinations of (b) (7)(C) , along with a decision by DOJ Fraud (b) (7)(C) ) not to prosecute additional SATG buyers, this investigation is closed.

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<b>Title:</b> ARC International Corp (et al)	<b>Date Opened:</b> February 19, 2010
<b>Case No:</b> 09-0020-OGC-PI-C	<b>Date:</b> September 11, 2015
<b>Agent:</b> (b) (6).	

**Allegations:**

This case was initiated based on a referral from Ex-Im Bank's Office of General Counsel (OGC) which alleged that ARC International (ARC) of the City of Industry, CA, falsified borrowing base certificates (BBCs) which subsequently led to a default and payment of the claim by Ex-Im Bank. By overstating accounts receivable aging reports (ARARs) and BBCs, ARC was able to maintain receipt of working capital funding from the lender, (b) (7)(C) in a transaction guaranteed by Ex-Im Bank under the Working Capital Guarantee (WCG) program. ARC's subsequent default on the loan caused Ex-Im Bank to pay the resulting claim to (b) (7)(C) in accordance with the WCG. (b) (7)(C) is insured by the Federal Deposit Insurance Corporation (FDIC) and is based in Los Angeles, CA.

This investigation was conducted under suspected violations of 18 USC 1001 (False Statements), 18 USC 1343 (wire fraud), and 18 USC 1344 (Bank Fraud).

**Closing Summary:**

(b) (7)(E)

(b) (7)(E)

In summary, (b) (7)(C) is a designated lender of loans guaranteed by Ex-Im Bank. As a means of monitoring borrowers and a basis of determining eligibility to borrow, borrowers regularly submit BBCs and ARARs which identify assets such as accounts receivables (A/Rs) and inventory. The loan amount, and ultimately the claim resulting from the default of ARC, was determined by the financial information represented by ARC to (b) (7)(C) on its BBCs and ARARs.

On February 19, 2010, a formal investigation into this matter was opened by the reporting agent.

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E), (b) (7)(C)

(b) (7)(E)

In March 2011, the reporting agent submitted the investigative findings thus far on this matter to OGC for purposes of enhanced due diligence.

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

In July 2012, the reporting agent prepared and submitted a prosecution memo to the USAO.

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

On July 31, 2012, the USAO accepted this matter for prosecution.

(b) (7)(E)

(b) (7)(E)

On July 22, 2013, the USAO filed Yu's signed plea agreement and a criminal information charging Yu with Bank Fraud in the U.S. District Court for the Central District of California.

On February 3, 2014, Yu pled guilty to one count of bank fraud in the U.S. District Court for the Central District of California.

On June 11, 2015, U.S. District Judge Michael W. Fitzgerald of the U.S. District Court for the Central District of California sentenced Yu to 36 months of probation. The first six months of probation are to be served in Community Confinement with following six months to be served in Home Confinement. Yu's sentence also included one day of incarceration with time served. The Court also ordered Yu to pay \$1,473,999 in restitution and a Special Assessment of \$100. Yu was scheduled to Self-Surrender on August 3, 2015.

This investigation is closed.

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## CLOSING STATUS REPORT

Title: Mimbella, Mario (et al.)	Date Opened: November 10, 2009
Case No: 10-0003-OGC-C	Quarterly Date: March 30, 2015
Agent: (b) (6)	

### Allegations:

This investigation was initiated on November 10, 2009, based upon a referral from the Office of General Counsel (OGC) and the Credit Review and Compliance Division (CRC), Ex-Im Bank. The initial referral concerned a medium-term guarantee obtained by a Miami-based finance company, Hencorp Beestone Capital, L.C. (Hencorp), Miami, FL. The underlying transaction involved the sale of 17 garbage trucks in the amount of \$1,048,050.00 to a Peruvian refuse collection company named Banos Servicios Generales S.R.L (SERGEBAN), Lima, Peru. Complaint Evaluation demonstrated that the intended equipment in this transaction was never purchased and the exporter in this transaction, Mario Mimbella (Mimbella), President, Mario's Air, Miami, FL, sent the loan disbursement directly to the Peruvian buyer.

The original investigation of Mario's Air was expanded to investigate all defaulted Hencorp transactions that originated in Peru and were initiated by Hencorp's Peruvian-based sourcing agent (b) (7)(C). The subsequent investigation identified an additional loss of \$7,021,028.82 to the US Government from 16 other fraudulent loans. All of the (b) (7)(C)-sourced medium-term loan guarantees to Peruvian borrowers resulted in direct cash disbursements from the lender and/or American exporters to buyers as purported reimbursement transactions.

This investigation was worked under suspected violations of 18 USC 1341 (mail fraud), 18 USC 1343 (wire fraud), and 18 USC 1001 (False Statements).

### Closing Summary:

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

On May 13, 2010, the Mimbella investigation matter was formally referred to the Department of Justice's (DOJ) Fraud Section (FS), Washington, DC, for prosecutorial consideration. On June 28, 2010, the OIG/OI forwarded this information to Office of General Counsel (OGC) to consider any enhanced due diligence on Mario's Air and Mario Mimbella as deemed appropriate.

(b) (7)(E)

On June 20, 2011, a Plea and Information was filed regarding defendant Mimbella in the United States District Court for the District of Columbia, Washington, D.C. The Information regarded a plea agreement to one count of 18 U.S.C. Section 1001 (False Statements) and the defendant agreed to a \$500,000.00 restitution. On July 12, 2011, Mimbella was arraigned and pled guilty to a criminal information in U.S. District Court for the District of Columbia. The information charged Mimbella with a violation of 18 U.S.C. Section 1001 (False Statements). On January 17, 2012, Mimbella was sentenced to 6 months in prison by Judge Amy B. Jackson in the U.S. District Court, District of Columbia. In addition to Mimbella's sentence, he received thirty-six months supervised probation, and was ordered to pay approximately \$500,000 in restitution and forfeiture and a one hundred dollar special assessment.

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During the Mimbella investigation, numerous other defaulted Hencorp transactions sourced by (b) (7)(C) in Peru were identified by the OIG. The Hencorp investigation was expanded to include these new claims. The new investigation determined that between 2004 thru 2009, (b) (7)(C) was involved as the lender representative in Peru in approximately 16 Ex-Im Bank guarantees or insurance, totaling approximately \$15 million in authorized funding. (b) (6), after admitting his role in the Mimbella fraud against Hencorp told investigators that (b) (7)(C) was the brains behind the whole operation.

(b) (7)(E)

On January 17, 2012, DOJ criminal authorized the OIG to present the Hencorp matter to DOJ civil authorities given that there were no US citizens identified as possible criminal prosecutive targets in the newly identified Hencorp claims.

On May 16, 2012, OIG/OI met with DOJ/Civil and provided them with a copy of the Hencorp investigative.

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

On March 28, 2013, DOJ notified the OIG/OI that they had received a Qui Tams Complaint filed by Plaintiffs (b) (7)(C)

(b) (7)(C), Lima, Peru, was the alleged Borrower in a \$955,062.37 medium term loan guarantee (Guarantee No. APO-06731) sourced by (b) (7)(C). The loan defaulted after a number of payments and resulted in a \$285,808.40 successful claim against the Ex-Im Bank. The qui tam complaint alleged that (b) (7)(C) never entered into any loan with Hencorp, never received any funding, and never received any machinery; Hencorp and (b) (7)(C) used sham and fraudulent documentation to induce the Ex-Im Bank to award the guarantee. (b) (7)(C) represented to various investigative parties that he was unaware of the loan and that it was a simple matter of identity theft. (b) (7)(C) alleges that the identity theft was orchestrated entirely by (b) (7)(C) and Hencorp failed to disclose the cover-up to Ex-Im Bank when filing for the guaranteed claim.

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

On December 10, 2014, reporting agent asked (b) (6)  
, Asset Management Division, Ex-Im Bank, to compile an up-to-date loss spreadsheet for the sixteen Hencorp claims related to (b) (7)(C) and Peru.

(b) (7)(E)

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(b) (7)(E)

On February 27, 2015, Hencorp settled civilly with DOJ/Civil and the Ex-Im Bank. Hencorp agreed to pay \$3.8 million to resolve allegations under the False Claims Act. Based on the above findings and successful criminal and civil prosecutions, this investigation is to be closed.

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## CLOSING STATUS REPORT

<b>Title:</b> Gutierrez, Johnny	<b>Date Opened:</b> June 28, 2013
<b>Case No:</b> 13-0010-AGT-C	<b>Closing Date:</b> August 25, 2015
<b>Agent:</b> (b) (6)	

### Allegations:

During the course of investigation under (b) (7)(A) agents found indications of questionable payments from (b) (7)(C) of (b) (7)(C) to Johnny Gutierrez, Ex-Im Bank, Trade Finance & Insurance, Specialty Risk Division. Further review also found additional payments from a Dominican Republic firm, (b) (7)(C), owned by (b) (7)(C).

This matter was discussed with DOJ Fraud Section prosecutors and further investigation was deemed warranted. It was found that Gutierrez acted as the Loan Officer on several of the (b) (7)(C) transactions and the Relationship Manager on several of the (b) (7)(C) transactions.

### Closing Summary:

(b) (7)(E)

On February 3, 2014, a letter was sent to Gutierrez from (b) (6) Ex-Im Bank proposing removal of Gutierrez from Ex-Im Bank for Dishonest Conduct.

(b) (7)(E)

As a result,  
Gutierrez's employment with the Ex-Im Bank was subsequently terminated.

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On (b) (6)  
taking place.

retired from the Ex-Im Bank prior to a removal action

(b) (7)(E)

On April 22, 2015, Gutierrez entered a plea of guilty in front of District of Columbia U.S. District Court Judge Gladys Kessler to one count of Bribery. Gutierrez sentencing was scheduled for July 21, 2015. Subsequent to the plea, sentencing was postponed until August 25, 2015.

On August 25, 2015, Gutierrez was sentenced in U.S. District Court for the District of Columbia by Judge Gladys Kessler to two months imprisonment, \$78,900.00 restitution and a \$100.00 special assessment.

All investigative activity has been concluded and this case is closed.

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<b>Title:</b> Preston Farms Popcorn LLC	<b>Date Opened:</b> June 24, 2014
<b>Case No:</b> 13-0018-AMD-PI-C	<b>Date:</b> February 24, 2016
<b>Agent:</b> (b) (6)	

**Allegations:**

This investigation was initiated based on allegations of fraud involving the exporter, Preston Farms (Preston) of Louisville, Kentucky and its owner, Kermit Highfield (Highfield). Preston held an Ex-Im Bank multi-buyer insurance policy that resulted in three claims from alleged buyer defaults in Canada, Israel and Saudi Arabia. According to the complaint allegations, Preston may have diverted several of its buyers' payments towards the funding of its own company operations rather than paying its credit line with the lender, UPS Capital (UPS). In line with the rules governing assigned Ex-Im Bank STMP transactions, Preston's buyers were required to transmit their payments directly to the lender, UPS. UPS has an Enhanced Assignment agreement with Ex-Im Bank, and as such, filed buyer non-payment claims directly with Ex-Im Bank. UPS claims were approved and Ex-Im Bank paid the lender for the purported buyer defaults in a total approximate amount of \$110,000.

This investigation was conducted under suspected violations of 18 USC 1001 (False Statements), 18 USC 1343 (Wire Fraud), and 18 USC 1344 (Bank Fraud).

**Closing Summary:**

Investigative findings confirmed Preston's intentional diversion of its buyers' payments to its corporate bank account. These findings were presented to U.S. Department of Justice (USDOJ), U.S. Attorney's Office for the Western District of Kentucky, and on June 24, 2014 this investigation was accepted for potential prosecution.

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

On August 3, 2015, AUSA Weiser filed a criminal information in the U.S. District Court for the Western District of Kentucky, Louisville Division charging Highfield with Bank Fraud (18 USC 1344) relating to the three aforementioned Ex-Im Bank claims.

On November 2, 2015, Highfield pled guilty to a single charge of Bank Fraud (18 USC 1344) in the U.S. District Court for the Western District of Kentucky, Louisville Division.

On February 1, 2016 U.S. District Judge Joseph H. McKinley, Jr. of the U.S. District Court for the Western District of Kentucky sentenced Highfield to 36 months of supervised release. The Court also ordered Highfield to pay \$110,678.74 in restitution and a \$100 special assessment.

This investigation is closed.

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Export-Import Bank of the United States  
Office of Inspector General  
Office of Investigations  
**CASE CLOSING REPORT**

<b>Title:</b> Stanley Phillips	<b>Date Opened:</b> September 25, 2013
<b>Case No:</b> 13-0019-LEO-C	<b>Closing Date:</b> March 17, 2015
<b>Agent:</b> (b) (6)	

**Allegations:**

Investigation initiated following information received from SA (b) (7)(C) of DCIS (b) (7)(C) regarding Stanley Phillips. SA (b) (7)(C) advised that DCIS and FBI agents investigated Stanley Phillips (Phillips) for a contract fraud matter involving an Army munition factory in KY under DCIS case # (b) (7)(A) . (b) (7)(E)

SA

(b) (6) advised that the case is being prosecuted out of West Palm Beach, FL by Assistant U.S. Attorney (AUSA) (b) (7)(C) . (b) (7)(C) wants to pursue false statement charges against Phillips based on statements made in e-mails regarding the LOI and the LOI itself. (b) (7)(E)

Investigation opened to assist DCIS and FBI in the arrest of Phillips and charging with false statements to Ex-Im.

**Closing Summary:**

In October 2013, contact was made with DCIS SA (b) (6) to provide contact information to AUSA Carolyn Bell.

On October 23, 2013, Stanley Phillips was arrested by the U.S. Marshals Service upon arrival to JFK International Airport from Ghana.

On November 14, 2013, Phillips was indicted by a Grand Jury in the Southern District of Florida for seven counts of wire fraud.

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(b) (7)(E)

On June 12, 2014, Phillips was indicted on a superseding indictment on eight counts of wire fraud.

(b) (7)(E)

On October 20, 2014, SA <sup>(b) (7)(C)</sup>, stated that the trial of Phillips was being moved to October 28, 2014.

On October 28, 2014, a continuance was filed and the trial was continued until December 2, 2014.

On December 11, 2014, Phillips was found guilty by a jury in the Southern District of Florida on all eight counts of the indictment.

(b) (7)(E)

On February 9, 2015, SA (b) (6) prepared and provided a Memorandum of Activity regarding the false statements made by Phillips to Ex-Im Bank to AUSA Bell. A summary of the findings would be read at Phillips sentencing.

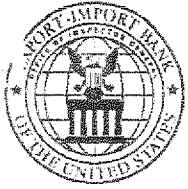
On February 20, 2015, Phillips was sentenced to 108 months of imprisonment and imposed a special assessment of \$800.00. Phillips was also required to pay restitution of \$35,051.46 to (b) (7)(C) and \$112,646.00 to (b) (7)(C)

(b) (7)(C) were defrauded by Phillips in the (b) (7)(C) and the (b) (7)(C) scheme.

Phillips was an employee of (b) (7)(C). Phillips pushed contracts from (b) (7)(C) to (b) (7)(C). Phillips used his company, (b) (7)(C) to subcontract from (b) (7)(C) for installation of products they provided and had to pay Phillips for the work, the \$35,051.46 and \$112,646.00 respectfully.

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On February 22, 2015, SA (b) (6) stated that AUSA Bell brought up the false statements submitted to Ex-Im at sentencing and led to a longer sentence for Phillips than was anticipated.

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**CLOSING STATUS REPORT**

<b>Title:</b> Strategic Targeting Assessment Reviews	<b>Date Opened:</b> June 23, 2014
<b>Case No:</b> 14-0020-AGT-PRO	<b>Date:</b> January 12, 2016
<b>Agent:</b> (b) (6)	

**Allegations:**

During the past year under OI Proactive cases (b) (7)(A) and (b) (7)(A), OI conducted proactive intelligence research on entities with name "Ex-Im" as part of their business name. (b) (7)(E)

Under the Proactive: Strategic Targeting Assessment Reviews (STARS), OI continues the above proactive measures (b) (7)(E)

As part of OI's continuing membership in the Export Enforcement Coordination Center (E2C2), (b) (7)(E)

**Closing Summary:**

(b) (7)(E)

This case is currently being closed and similar ongoing proactive investigative efforts and actions will be conducted under (b) (7)(A), (b) (7)(E) henceforth.

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(b) (6)

**CLOSING STATUS REPORT**

<b>Title:</b> (b) (7)(C), (b) (6)	<b>Date Opened:</b> December 3, 2014
<b>Case No:</b> 14-0022-AGT-PI-C	<b>Closing Date:</b> December 16, 2016
<b>Agent:</b> (b) (6)	

**Allegations:**

In June 2014, the Export-Import Bank of the United States (EXIM Bank), Office of Inspector General (OIG), Office of Investigations (OI), received information that the Securities and Exchange Commission (SEC) was conducting an investigation of (b) (6) for possible violations of the Foreign Corrupt Practices Act (FCPA). OIG-OI determined that (b) (7)(C) was issued a (b) (7)(E) by EXIM Bank for the purchase of goods and services from numerous U.S. exporters, including (b) (6). The SEC investigation involved work done by (b) (6) under the EXIM Bank guarantee.

(b) (7)(E)

This investigation was opened to identify suspected violations of 15 USC 78 (Security Exchanges AKA the Foreign Corruption Practices Act)

**Closing Summary:**

The investigation determined that in 2008, (b) (7)(C) (b) (7)(C), was awarded Contract Number (b) (7)(C) by (7)(c). The initial contract was for 24-months and \$65 million, and was subsequently increased through a series of amendments. Contract No. (b) (7)(C) was funded under EXIM Bank Guarantee (b) (7)(C).

(b) (7)(E)

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## CLOSING STATUS REPORT

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(b) (7)(E)

(b) (7)(E)

The investigation found that as a result of the conduct described above, <sup>(b) (6)</sup> violated Section 13(b)(2)(A) of the Securities Exchange Act of 1934 ("Exchange Act") because its books and records did not, in reasonable detail, accurately and fairly reflect the purpose of the payments to the Consulting Firm. The improper payments were falsely recorded as legitimate business expenses in the books and records of the subsidiary which were consolidated into <sup>(b) (6)</sup> books and records. <sup>(b) (6)</sup> also violated Section 13(b)(2)(B) of the Exchange Act by failing to devise and maintain sufficient accounting controls to prevent and detect these improper payments.

(b) (7)(E)

The SEC accepted the offer proposed by <sup>(b) (6)</sup> and the U.S. Department of Justice agreed not to pursue criminal prosecution of the company or its subsidiaries.

On November 21, 2016, based on the findings of the investigation, OIG provided a referral package to <sup>(b) (6)</sup>, Suspension and Debarment Official, EXIM Bank, recommending the suspension and debarment of <sup>(b) (6)</sup> and their subsidiary companies from programs operated by the United States Government.

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## CLOSING STATUS REPORT

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At this time, no further investigative activity or investigative referrals are warranted, and this case will be closed.

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**CLOSING STATUS REPORT**

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<b>Title:</b> Alleged Improprieties on No-Bid Contracts	<b>Date Opened:</b> September 2, 2014
<b>Case No:</b> 14-0025-HOT-PI	<b>Date:</b> March 10, 2015
<b>Agent:</b> (b) (6)	

**Allegations:**

This investigation was opened on September 9, 2014, based on allegations from an anonymous email received by the Export-Import Bank of the United States (Ex-Im Bank), Office of Inspector General (OIG), Hotline from an anonymous source. The anonymous complainant alleged that there has been a series of no-bid contracts awarded by the Ex-Im Bank during the past few years at the insistence of (b) (6) office to pay for a number of services related to on-going public relations and annual conferences. According to the complainant, the contracts usually went to companies associated with or owned by former (b) (7)(C) or campaign operatives.

This investigation targeted suspected violations of 18 USC 208 - Acts affecting a personal financial interest, 18 USC 641 - Public money, property or records, and 5 CFR 2635 - Standards of Ethical Conduct for Employees of the Executive Branch.

**Closing Summary:**

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

A review of the OCS contract file for the Public Relations contract demonstrated that during the evaluation's panel review of the revised offers, the panel's members overwhelmingly choose (b) (7)(C) over (b) (7)(C) based on (b) (7)(C) team member qualifications, experience, and corporate resources. Therefore, the Ex-Im Bank/OCS awarded the contract to (b) (7)(C) based on "best value" criteria.

The original Request for Quote (RFQ) for Ex-Im Bank's (b) (7)(C)

Twelve firms were originally identified to be solicited and were placed on the Ex-Im Bank/OCS's mailing list. (b) (7)(C)

An amendment to the RFQ was issued (b) (7)(C) to provide questions and answers to all firms on the mailing list. Amendment two to the RFQ was issued (b) (7)(C)

Offers from the following companies were received and evaluated from four possible vendors. They were: (b) (7)(C), Washington, DC, (b) (7)(C), Washington, DC, (b) (7)(C), McLean, VA, and (b) (7)(C), Severna Park, MD. The four offers received were reviewed by a technical evaluation panel consisting of (b) (6)

The evaluation panel members were: (b) (7)(C)

In a memo dated August 14, 2009, (b) (6) Evaluation Panel, Ex-Im Solicitation Ex-Im-09-Q-0016 Strategic Planning Facilitation and Consultation, recommended that the Ex-Im Bank/OIG award to (b) (7)(C). The Ex-Im Bank/OCS memo stated that bidders (b) (7)(C) were down-selected insofar that they were not amongst the most technically qualified. (b) (7)(C) were asked to provide revised offers.

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The RFQ stated that a best value determination may consider paying a higher price for a technically superior proposal. Although the 35% premium of (b) (7)(C) final price is significant, (b) (7)(C) offer represents the only offer rated as Superior. The (b) (6) Technical Evaluation Panel, in her award recommendation memorandum, has determined that the Bank would be best served by accessing (b) (7)(C) resources for this requirement.

This matter is being closed as the allegations of a series of no-bid contracts awarded by the Ex-Im Bank during the past few years at the insistence of (b) (6) office to pay for a number of services related to on-going public relations and annual conferences are unfounded. The review of the (b) (7)(C) and its (b) (7)(C) sub-contractor clearly demonstrates that the public relations awarded contract was competed fairly and that a technical review committee considered all the offers submitted by the bidders. The bid period was even extended by OCS to accommodate additional bidders and the contract's review demonstrates that OCS took additional measures to ensure that the pool of bidders included at least four competitors. The retention of (b) (7)(C) as the Ex-Im Bank's conference planner pre-dates current Ex-Im Bank's management and no affiliation with (b) (7)(C) entities could be determined through public sources. This investigative matter is closed.

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## CLOSING STATUS REPORT

<b>Title:</b> (b) (6)	<b>Date Opened:</b> October 1, 2014
<b>Case No:</b> 15-0001-OGC-C	<b>Closing Date:</b> March 20, 2015
<b>Agent:</b> (b) (6) (b) (6)	

### Allegations:

On September 30, 2014, Ex-Im Bank Office of General Counsel (OGC) (b) (6)  
sent (b) (6)

an e-mail with an allegation he had received against  
(b) (6) from a former (b) (6) employee. The  
allegation was that (b) (6) had been submitting false timesheets for employees on the  
Ex-Im Bank contract and that (b) (6) employees did not have the proper knowledge  
to write code for the Ex-Im Bank programs. The former employee, (b) (7)(C),  
asserted that he had records, including photographs and recordings, proving that  
(b) (6) had been submitting false timesheets for its workers assigned to the Ex-Im  
Bank contract.

### Closing Summary:

This closing summary details the investigation of (b) (6) and their Ex-  
Im Bank contract employees.

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

At this time, no evidence has been obtained to corroborate (b) (7) 's allegations. There is no evidence that the (b) (6) employees are not compliant with the Ex-Im Bank contract. As no criminal activity was identified, this investigation was not presented for prosecution. No further investigative activity or investigative referrals are warranted.

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(b) (6)



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**CLOSING STATUS REPORT**

<b>Title: Possible Improprieties and Violations by the Claims Reconsideration Committee</b>	<b>Date Opened: January 15, 2015</b>
<b>Case No: 15-0005-AMD-PI</b>	<b>Closing Date: June 10, 2015</b>
<b>Agent: (b) (6)</b>	

**Allegations:**

(b) (6)

On December 18, 2014, an employee of the Export-Import Bank of the United States (Ex-Im Bank or Bank) approached Special Agent (SA) (b) (6) of the Ex-Im Bank, Office of Inspector General (OIG), Office of Investigations (OI), to report possible ethical improprieties and/or violations committed by members of the Bank's Claims Reconsideration Committee (CRC). (b) (7)(E), (b) (7)(C)

The claim was initially denied by the Bank, but reconsidered three times by the CRC. On the third occasion, the CRC voted to overturn denial and paid the claim in the amount of (b) (7)(E), (b) (7)(C). The employee believed this was a violation of the CRC charter which states that decisions of the CRC are final. The complainant believed it was possible that influence was exerted on members of the CRC in order to call for a third vote and ultimately pay the claim.

The possible collusion and/or bribery of CRC members was investigated as a violation of 18 USC § 201 – Bribery, and 18 USC § 371 – Conspiracy to defraud the United States.

**Closing Summary:**

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

At this time, agents have exhausted all investigative avenues and found no evidence of criminal wrongdoing by any members of the CRC or outside parties attempting to influence the committee. Assistant United States Attorney (b) (7)(C) from the District of Columbia was briefed on the results of the investigation and declined to pursue prosecution. It does not appear that the CRC Charter was violated based on its current language. This matter will be referred to OIG, Office of Audit to determine whether the current CRC Charter is appropriate or if changes should be recommended. No additional action will be taken at this time by OIG-OI. This Preliminary Investigation is closed.

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(b) (1)



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**CLOSING STATUS REPORT**

<b>Title:</b> (b) (6)	<b>Date Opened:</b> February 12, 2015
<b>Case No:</b> 15-0006-OSS-C	<b>Closing Date:</b> April 16, 2015
<b>Agent:</b> (b) (6) (b) (6)	

**Allegations:**

On January 21, 2015, (b) (7)(C) Export-Import Bank of the United States ("Ex-Im Bank" or "Bank"), Office of Security Services (OSS), contacted Ex-Im Bank Office of Inspector General (OIG), Office of Investigations (OI) regarding Ex-Im Bank Trade Finance Insurance employee (b) (6). (b) (7)(C) relayed that Ex-Im Bank Office of General Counsel (OGC) believed (b) (6) had improperly released certain information to private sector entities.

(b) (7)(E)

(b) (7)(E)

This case was opened to investigate possible violations of 18 USC 1905, Disclosure of Confidential Information; and 5 USC 7324, the Hatch Act.

**Closing Summary:**

This closing summary details the investigation of (b) (6)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

On March 12, 2015, a Memorandum from (b) (6)  
, was presented to (b) (6) . notifying him of a proposal to  
terminate his Ex-Im Bank employment. (b) (6) refused to sign the letter acknowledging  
receipt.

(b) (7)(E)

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(b) (7)(E)

On April 17, 2015, OIG-OI agents presented the findings of the investigation to the Department of Justice (DOJ) Public Integrity Section (PIN). PIN Deputy (b) (7)(C) declined to accept the case for prosecution.

At this time, there is no evidence that the (b) (7)(C) technology was released beyond (b) (6) brother (b) (7)(C). There is no evidence that (b) (6) or (b) (7)(C) benefited from the release of the information. Prosecution for violations of the Hatch Act and the Disclosure of Confidential Information has been declined by OSC and PIN, respectively. (b) (6) has been recommended for termination by Ex-Im Bank. At this time, the process remains ongoing, but is not within the purview of OIG. No further investigative activity or investigative referrals are warranted.

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## CLOSING STATUS REPORT

<b>Title:</b> General Cable Corporation	<b>Date Opened:</b> October 15, 2015
<b>Case No:</b> 15-0008-AGT-PI-C	<b>Closing Date:</b> March 28, 2016
<b>Agent:</b> (b) (6)	

### Allegations:

On September 20, 2014, media reports indicated that General Cable Corporation (General Cable), a U.S. global supplier of copper, aluminum, and fiber cables, disclosed to the U.S. Securities and Exchange Commission (SEC) and the U.S. Department of Justice (DOJ), that it was conducting an internal corporate investigation into possible bribe payments made by its subsidiary employees in Portugal and Angola to officials of various Angolan government-owned public utilities. Furthermore, General Cable reported that that it had concerns that other employees may have paid bribes to officials in India and that they were also investigating those additional allegations. General Cable reported that it estimated that it had derived \$24 million in profits from sales made to those Angolan government-owned public utilities. General Cable also disclosed that it was conducting internal investigations into possible bribe payments in both Thailand and India.

(b) (7)(E)

other financial transactions that involve General Cable in (b) (7)(C) ; and a  
guaranteed transaction with (b) (7)(C) that was  
authorized, but the money was never disbursed.

Ex-Im Bank has

This investigation was pursued under suspected violations of 15 USC 78dd-1 (Foreign Corrupt Practices Act).

### Closing Summary:

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

Based on this information and the fact that (b) (7)(E), no further  
investigative action is anticipated at this time. This investigation is closed.

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(b) (6)

## CLOSING STATUS REPORT

<b>Title:</b> (b) (6) (et al.)	<b>Date Opened:</b> April 16, 2015
<b>Case No:</b> 15-0009-AGT-PI	<b>Closing Date:</b> October 23, 2015
<b>Agent:</b> (b) (6)	

### Allegations:

On (b) (6), an article was published in (b) (7)(E), (b) (7)(C)

The article implied that there were possible ethical improprieties in (b) (7)(E), (b) (7)(C)

This investigation was initially opened and worked under suspected violations of

18 USC 201 - Bribery of public officials and witnesses, 18 USC 207 - Restrictions on former officers, employees, and elected officials of the executive, 18 USC 208 - Acts affecting a personal financial interest, and 18 USC 209 - Salary of Government officials and employees payable only by United States

### Closing Summary:

Ex-Im Bank security records confirm that (b) (6)

at Ex-Im Bank from approximately (b) (6)

Public sources indicate that (b) (6)

and

left her Ex-Im Bank post in (b) (6).

(b) (7)(E)

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(b) (6)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E) (b) (7)(C) lives  
and works in (b) (7)(C) and only travels to the United States on rare occasions. (b) (7)(E)

In summary, the investigation did not detect any inappropriate actions by (b) (6) or related parties in regards to the (b) (7)(C) transaction or influencing any (b) (7)(C) transaction approvals. Based on the aforementioned facts, no further OIG investigation, referral, or other action is warranted at this time. Based on the aforementioned facts and the age of the email communications in question, I believe there is insufficient evidence to pursue these allegations civilly or criminally.

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Export-Import Bank of the United States  
Office of Inspector General  
Office of Investigations

## CLOSING STATUS REPORT

Title: (b) (6)	Date Opened: July 10, 2015
Case No: 15-0011-OSS-PI	Closing Date: January 11, 2016
Agent: (b) (6) (b) (6)	

### Allegations:

On June 10, 2015, (b) (6), Export-Import Bank of the United States (Ex-Im Bank), notified (b) (6), Office of Inspector General (OIG), Ex-Im Bank, that an intruder named (b) (6), (b) (7)(C) was granted entry to the Ex-Im Bank building for a seminar, despite not being on the access list. According to (b) (6), following a period of time in the seminar, (b) (6), (b) (7)(C) was located on the 12th floor moving through the building unescorted. (b) (7)(E), (b) (7)(C)

Persons associated with (b) (7)(C) are known to surreptitiously record encounters with (b) (7)(E), (b) (7)(C) (b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(C) website has what appears to be a brief surreptitious recording of former Ex-Im Bank employee (b) (6), (b) (7)(C). The video appears to have been captured outside the Bank. It is unknown when this video was recorded or if it was taken by (b) (6), (b) (7)(C)

This Preliminary Investigation was opened in order to determine whether (b) (6), (b) (7)(C) violated 25 CFR 11.411 - Criminal Trespass by entering the Ex-Im Bank building, and/or whether the Ex-Im Bank contract guards violated Bank policy by allowing (b) (6), (b) (7)(C) into the building.

### Closing Summary:

The investigation revealed that on June 10, 2015, a person identified as (b) (6), (b) (7)(C) presented herself at the Ex-Im Bank guard desk and stated she was at the Bank to attend a Trade Finance Registered Broker seminar. (b) (7)(E), (b) (6), (b) (7)(C)

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**CLOSING STATUS REPORT**

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(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (7)(C), (b) (6)

(b) (7)(E), (b) (6), (b) (7)(C)

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(b) (7)(E), (b) (5), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (5), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (5), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C), (b) (5)

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(b) (7)(E), (b) (6), (b) (7)(C)

At this time, agents have exhausted all investigative avenues and found no evidence of criminal wrongdoing by (b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

No additional action will be taken at this time by OIG-OI.  
This Preliminary Investigation is closed.

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(b) (6)



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**CLOSING STATUS REPORT**

<b>Title:</b> (b) (6) (et al.)	<b>Date Opened:</b> November 25, 2015
<b>Case No:</b> 16-0004-OSS-C	<b>Quarterly Date:</b> January 1, 2017
<b>Agent:</b> (b) (6)	

**Allegations:**

On November 4, 2015, (b) (6), Export-Import Bank of the US (Ex-Im Bank), provided information to the OIG regarding a possible phony Ex-Im email address used to obtain a quote on IT equipment. (b) (7)(E), (b) (7)(C), (b) (6)

(b) (6) and/or persons unknown have targeted Ex-Im Bank as a social engineering victim and are attempting to obtain goods from GSA-contracted vendors under the guise of government issued POs and federally negotiated contract numbers. The fraudster(s) are using social engineering, open sources, and spoofed/phishing email addresses in their attempts to obtain legitimate quotes and shipped goods from victim GSA-vendors.

This investigation was worked under suspected violations of 18 U.S.C. § 371 (Conspiracy), 18 U.S.C. § 1001 (False Statements), and 18 U.S.C § 712 (Misuse of Names, Words, Emblems, or insignia).

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**Quarterly Summary:**

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

Additionally, there has been no recorded loss to the Ex-Im Bank or any identified US Government entity. The lack of prosecutorial evidence, lack of loss, and resource allocation issues all mandate the investigative closing of this matter. This investigation is closed.

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(b) (6)

## CLOSING STATUS REPORT

<b>Title:</b> Vehicle Contracting Improprieties	<b>Date Opened:</b> December 18, 2015
<b>Case No:</b> 16-0005-OAS-PI	<b>Closing Date:</b> July 13, 2016
<b>Agent:</b> (b) (6)	

### Allegations:

On September 22, 2015 the Export-Import Bank of the United States (Ex-Im Bank), Office of Inspector General (OIG), Office of Investigations (OI), received a complaint from the OIG Office of Audit (OA). While conducting a scheduled audit of Ex-Im Bank's contracting processes, the OA identified concerns with a contract used to lease a vehicle for Ex-Im Bank President and Chairman Fred Hochberg.

The Ex-Im Bank Office of Contracting Services (OCS) directed Salmon Group Inc. (SGI), an 8(a) contractor, to provide a quote for leasing "a luxury sedan for use by <sup>(b) (6)</sup> Chairman for local travel." This Request for Quote (RFQ) was made under an existing SGI task order for "Valet Parking Services" at the Ex-Im Bank. The use of SGI to lease a vehicle, rather than using a General Services Administration (GSA) approved vendor, was deemed necessary by OCS staff.

In response to the RFQ, SGI provided leasing options to Ex-Im Bank for three vehicles, a Cadillac XTS, a Lincoln MKS, and a Buick La Crosse. Over the lifetime of a five-year lease, SGI proposed terms costing Ex-Im Bank \$54,607, \$49,118, and \$46,398 respectively. SGI also proposed passing on the insurance costs of \$168 per month for two Ex-Im Bank drivers for each of the vehicles, for an extra cost of \$10,080 over the life of the lease.

Ex-Im Bank ultimately chose to lease the most expensive of the three vehicles from SGI, the 2014 Cadillac XTS. According to SGI's quote, the cost of the Cadillac lease would be broken down into an initial deposit of \$5,460 and 60 monthly payments of \$987 (\$819 for the vehicle and \$168 for insurance), for a total estimated cost of \$64,687. However, final contract documents show that Ex-Im Bank agreed to make an initial deposit of \$7,725 and monthly insurance payments of \$312.50 in addition to the \$819 monthly vehicle payment. This brought the total five-year lease value to \$75,622. By contrast, GSA schedule pricing included in the contract file shows that Ex-Im Bank could have leased a 2015 full-size Chevrolet Suburban for \$489 a month, for a five-year total of

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\$29,340. This price would not have included insurance costs, as the U.S. Government is self-insured.

This investigation was opened in order to determine if the use of SGI to procure a luxury vehicle was allowable under the Federal Acquisition Regulation (FAR), and if so, whether Ex-Im Bank was justified in spending more than twice the amount needed to lease the largest vehicle on the GSA schedule; and whether Ex-Im Bank contracting officers conspired with SGI to defraud Ex-Im Bank and the U.S. Government.

### Closing Summary:

The Ex-Im Bank OIG audit report initially identified that the Cadillac lease contract file did not contain a justification that the vehicle was essential to the mission of Ex-Im Bank, as required under the FAR. (b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

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(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

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(b) (7)(E), (b) (7)(C), (b) (6)

(b) (7)(E), (b) (6), (b) (7)(C)

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The FAR, under Subpart 8.11, allows agencies to lease vehicles for their use, however there are a number of specific requirements. The section states that the contracting officer shall obtain written certification from the agency that: 1) The vehicles requested are of maximum fuel efficiency and minimum body size... necessary to fulfill operational needs; 2) The head of the agency has certified that passenger automobiles larger than small, subcompact, or compact are essential to the agency's mission; 3) Internal approvals have been received; and 4) The GSA has advised that it cannot furnish the vehicles.

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E) , there is no evidence that (b) (6) demanded or even sought a particular make of vehicle to replace the Mercury Grand Marquis. In leasing the Cadillac from SGI, Ex-Im Bank OCS chose to disregard the FAR, agreed to pay SGI more than double what (b) (6) determined to be the open market price for a Cadillac lease, agreed to pay SGI \$312.50 per month for an unnecessary insurance policy, and agreed to pay for any maintenance on the vehicle, which would not have been the case under a GSA lease and is prohibited by the FAR. (Note: The OIG audit specifically addresses the financial loss to Ex-Im Bank and the U.S. Government as a result of this lease.).

(b) (7)(E) , there is no evidence of an improper relationship between (b) (6) and SGI. SGI was asked by OCS to provide quotes for several vehicles and did so. SGI was directed by OCS to purchase a vehicle to lease to Ex-Im Bank, and did so. SGI believed they needed to obtain insurance for a vehicle they owned. This was an unnecessary cost to the Government, but not an unreasonable action by SGI. OCS agreed to the terms proposed by SGI regarding the vehicle and insurance payments. It is concerning that SGI chose to pass on more than double the cost of the insurance to the Government and provided an inadequate explanation as to how they determined that cost. (b) (6), (b) (7)(C) declined to cooperate with Ex-Im Bank OIG in an official inquiry involving one of their task orders. U.S. Government contractors are expected, and in some cases required, to provide "full cooperation with any Government agencies responsible for audits, investigations, or corrective actions." Under the FAR, full cooperation includes "timely and complete response to Government auditors' and investigators' request for documents," with which SGI complied, but also, "access to employees with information," which SGI refused.

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In June 2016, this matter was referred to the United States Attorney's Office for the District of Columbia for prosecution. In July 2016, Assistant United States Attorney (b) (6) acknowledged that the actions taken by (b) (6) and (b) (7)(C) with regard to the disclosure and receipt of procurement information could qualify as a technical violation of 41 U.S.C. 2102, but that the release of this information did not ultimately play a role in the award of the lease contract to SGI, and declined to accept the matter for prosecution.

As a result of the OIG audit and this investigation, the task order involving the Cadillac lease was terminated on March 31, 2016. The OIG audit findings and recommendations have been provided to Ex-Im Bank in order to address issues within the Bank's procurement processes. The findings regarding violations of criminal law and the FAR, as well SGI's questionable business ethics and integrity have been provided to (b) (6), Ex-Im Bank's Suspension and Debarment Official, for proposed suspension under FAR Section 9.407-2. At this time, no further investigative activity or investigative referrals are warranted, and this preliminary investigation will be closed.

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## CLOSING STATUS REPORT

Title: (b) (6)	Date Opened: February 1, 2016
Case No: 16-0006-GOV-PI	Closing Date: February 3, 2016
Agent: (b) (6) (b) (6)	

### Allegations:

On January 9, 2016, (b) (6)  
Office of Human Resources (HR), Export-Import Bank of the United States (Ex-Im  
Bank), notified (b) (6) that, (b) (6)  
, HR, Ex-Im Bank, was witnessed by other HR employees under  
the influence of marijuana while at work on Friday, January 8, 2016.

(b) (6) referred the matter to the Office of Inspector General (OIG), Office of  
Investigations (OI), and a complaint was opened in order to evaluate the allegation ("").  
(b) (6). Under the complaint, OIG/OI Special Agent (SA)(b) (6) conducted  
several interviews of HR staff and found the allegation to have merit.

This preliminary investigation was opened to investigate possible violations of 21 USC  
844, Possession of a Controlled Substance; and 5 CFR 2635, Standards of Ethical  
Conduct for Employees of the Executive Branch.

### Closing Summary:

This closing summary details the investigation of (b) (6)

(b) (7)(E)

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As permitted under Executive Order 12564, Ex-Im Bank created a "safe harbor" for employees who seek treatment for drug use. Under the Bank's Drug-Free Workplace Plan, subsection VIII (F), Ex-Im Bank "...will not initiate disciplinary action against employees who satisfy provisions of this Section." The provisions, as set forth in the Executive Order, state that discipline "is not required for an employee who (1) voluntarily admits his or her drug use; (2) completes counseling or an EAP; and (3) thereafter refrains from drug use." (b) (6) complied with the first provision listed above, and took steps toward completion of the second provision. As such, OIG/OI has not referred this matter to the U.S. Department of Justice (DOJ) for consideration of criminal prosecution as of the date of this report.

The findings of this investigation were provided to (b) (6)

, Resource Management Group (RMG), for action deemed appropriate, including monitoring (b) (6)'s progress through EAP. If information arises at a later date suggesting that (b) (6) has not completed an EAP-approved program, and/or there is evidence that he has resumed the use of controlled substances, the decision not to present this matter to DOJ will be revisited. At this time, no further investigative activity or investigative referrals are warranted, and this preliminary investigation will be closed.

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(b) (6)



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<b>Title:</b> Prohibited Hiring Practices (b) (6)	<b>Date Opened:</b> February 8, 2016
<b>Case No:</b> 16-0007-HOT-PI	<b>Date:</b> March 21, 2016
<b>Agent:</b> (b) (6)	

**Allegations:**

On December 24, 2015 and January 6, 2016, (b) (6)

Export-Import Bank of the US (Ex-Im Bank), sent two emails to the Ex-Im Bank, Office of Inspector General (OIG) Hotline. (b) (6) alleges that (b) (6), Ex-Im Bank/(b) (6), was engaged in Prohibited Personnel Practices (PPP). (b) (7)(E), (b) (6), (b) (7)(C)

The possible criminal violations being investigated are 5 CFR 2635 - Standards of Ethical Conduct for Employees of the Executive Branch, Merit System Principles (5 USC 2301), and Prohibited Personnel Practices (5 USC § 2302).

**Closing Summary:**

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E) , the allegations of PPP by (b) (6) could not be substantiated by the purported evidence provided by (b) (6) as well as other investigative findings. (b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

As a result of the above investigative findings, this investigation is closed with a referral to Ex-Im Bank Office of General Counsel for any action deemed appropriate.

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## CLOSING STATUS REPORT

Title: (b) (6)	Date Opened: February 18, 2016
Case No: 16-0010-AGT-PI	Closing Date: May 11, 2016
Agent: (b) (6)	

### Allegations:

On February 10, 2016, Financial Analyst (b) (6), while conducting routine queries on a financial intelligence database, produced a series of unusual activities associated with former Ex-Im Bank employee (b) (6), (b) (7)(C), (b) (7)(E), (b) (7)(C), (b) (8)

(b) (7)(E), (b) (6), (b) (7)(C)

This investigation was worked under suspected violations of 18 U.S.C. § 1956 (Money Laundering).

### Closing Summary:

(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

Investigative findings and interviews determined that (b) (6) 's spending activities were not conducted during federal working hours and that the suspicious financial activities were legal. The allegations of money laundering were determined to be unsubstantiated and this investigation is closed.

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## CLOSING STATUS REPORT

<b>Title:</b> (b) (6)	<b>Date Opened:</b> March 16, 2016
<b>Case No:</b> 16-0012-OGC-C	<b>Closing Date:</b> March 18, 2016
<b>Agent:</b> (b) (6)	

### Allegations:

On September 18, 2015, the Office Inspector General (OIG), Office of Investigations (OI) received information -that Ex-Im Bank employee (b) (6), Business Development Specialist, (b) (6), Small Business Division (SBD) had misused his Government-issued travel card when he made numerous unauthorized purchases at local restaurants and drinking establishments. (b) (6) was not on official government travel status when those improper purchases were made. (b) (6)'s delinquent payments for those purchases led to the discovery of the improper travel card purchases.

This investigation was pursued under suspected violations of 5 CFR 2635 - Standards of Ethical Conduct for Employees of the Executive Branch and Improper Use of Government Property.

### Closing Summary:

(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

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**CLOSING STATUS REPORT**

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(b) (7)(E), (b) (6), (b) (7)(C)

On November 3, 2015, this matter was referred to the Ex-Im Bank, Office of General Counsel (OGC) for administrative action deemed appropriate. On March 16, 2016, the OGC notified the OIG that Mr. (b) (6) had been terminated (b) (7)(E), (b) (6) due to his "Inability to Obtain and Retain Government Travel Card Required to Perform Duties." The Complaint Evaluation was re-opened by the OIG as an investigation in order to capture the employee termination action. There are no apparent criminal or civil violations in this matter that are within the investigative jurisdiction of the OIG and, given that (b) (6) has paid off his travel card in its entirety; there is no loss to the federal government. (b) (6)'s alleged alcohol and performance issues were administrative issues and were properly handled by Ex-Im Bank management, his immediate supervisors, the HR Division, and the OGC.

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(b) (6)



Export-Import Bank of the United States  
Office of Inspector General  
Office of Investigations

**CLOSING STATUS REPORT**

<b>Title:</b> Breach of Information by Former Employee	<b>Date Opened:</b> April 27, 2016
<b>Case No:</b> 16-0013-OGC-PI	<b>Closing Date:</b> May 3, 2016
<b>Agent:</b> (b) (6)	

**Allegations:**

On March 1, 2016, (b) (6), former (b) (6), Export-Import Bank of the US (Ex-Im Bank) filed a wrongful termination lawsuit with the US Merit Systems Protection Board (MSBP) against the Ex-Im Bank. (b) (7)(E), (b) (6), (b) (7)(C)

Furthermore, (b) (6) supports her "Response to Order on Jurisdiction" with an exhibit (#8) which is an invoice (b) (6), (b) (7)(C) Ex-Im Bank's mandated classes on anger management. (b) (6), (b) (7)(C)

The Ex-Im Bank, Office of General Counsel (OGC), alleges that (b) (6)'s possession and subsequent public disclosure of the (b) (6), (b) (7)(C) invoice may have violated the Privacy Act (Privacy Act of 1974, 5 U.S.C. § 552a).

This investigation was opened to investigate possible violations of 18 U.S. Code § 641 (Public money, property or records).

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**Closing Summary:**

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

On April 25, 2016, AUSA (b) (7)(C) declined to prosecute this matter. (b) (7)(E)

Based on the prosecutive declination of the case by the DOJ, this matter will be referred back to OGC by the OIG for possible administrative action and final Agency/MSPB disposition. This investigation is closed.

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(b) (6)

**CLOSING STATUS REPORT**

Title: (b) (6)	Date Opened: May 04, 2016
Case No: 16-0014-HOT-PI	Closing Date: June 03, 2016
Agent: (b) (6)	

**Allegations:**

On April 4, 2016, (b) (6), (b) (7)(C)

reported to the Export-Import Bank of the US (EXIM), Office of Inspector General (OIG), Office of Investigations (OI), that they were deeply concerned with the recent and sudden departure of four of their exporter clients. (b) (7)(E), (b) (7)(C), (b) (6)

However, upon further reflection, (b) (7)(C) has determined that all four companies shared a common theme. These company's accounts were all handled by a former (b) (7)(C) employee named (b) (6). (b) (6) left (b) (7)(C)'s employ (b) (6), (b) (7)(C) and is currently employed as a (b) (6) in the Ex-Im Bank's (b) (7)(E), (b) (6), (b) (7)(C). (b) (6) was told by Ex-Im Bank ethics officials that she was to have no contact with her former employer for one year due to federally mandated ethical guidelines. (b) (7)(C) reports that (b) (6) was a stellar employee and that her departure from (b) (7)(C) was a positive event with no animosity. However, (b) (7)(C) believes that (b) (6) must have something to do with their lost clientele. After the initial allegations made by (b) (7)(C), two additional clients left (b) (7)(C) for (b) (7)(C); (b) (7)(C) and (b) (7)(C).

**Closing Summary:**

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

Based on the investigative findings of this preliminary investigation, there are no supporting facts that sustain allegations that (b) (6) violated Federal Ethics laws by influencing exporters to change brokers from (b) (7)(C) to (b) (7)(C). The allegations are unsubstantiated and this investigation is closed.

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(b) (6)

**CLOSING STATUS REPORT**

<b>Title:</b> (b) (7)(C)	<b>Date Opened:</b> May 19, 2016
<b>Case No:</b> 16-0015-OAS-PI	<b>Date Closed:</b> July 21, 2016
<b>Agent:</b> (b) (6)	

**Allegations:**

As part of an audit by the Office of the Inspector General (OIG)-Office of Audit (OA) for the Export Import Bank of the United States (Ex-Im Bank) of Ex-Im Bank's oversight of Working Capital Delegated Lenders, OA identified one loan with indications of potential fraud. There is currently no loss to Ex-Im Bank on this particular loan as the claim by the lender, (b) (7)(C), has not been paid, and Ex-Im Bank's Asset Management Division (AMD) is considering denying claim payment to (b) (7)(C). Based on information included in a field exam by (b) (7)(C) of the borrower, (b) (7)(C), it appears that (b) (7)(C) included Accounts Receivables (A/Rs) from two affiliate companies ((b) (7)(C)) in its borrowing base. Including A/Rs from these companies, inflated (b) (7)(C)'s borrowing base giving (b) (7)(C) access to a higher credit line with (b) (7)(C). OA was concerned that (b) (7)(C) may have intentionally falsified or disguised A/Rs from its affiliates in order to falsely inflate its borrowing base. Furthermore, OA was also concerned that (b) (7)(C)'s affiliate companies may have availed of additional Ex-Im Bank transactions using similar schemes.

This investigation was opened to identify suspected violations of 18 U.S.C. 1344 (Bank Fraud) and 18 U.S.C. 287 (False Claims).

**Case Summary:**

(b) (7)(C) is the borrower in a loan from (b) (7)(C). (b) (7)(C) is owned by (b) (7)(C). This loan is guaranteed by Ex-Im Bank through a Working Capital Guarantee (WCG). (b) (7)(C) submitted to (b) (7)(C), on a monthly basis, Borrowing Base Certificates (BBCs) and A/R Aging Reports which then were used to determine the credit line available to (b) (7)(C) during each month. This loan was initiated approximately in April 2014.

Based on an investigation by the OIG, it appears that (b) (7)(C) was aware of violations of its Master Guarantee Agreement (MGA) with the Ex-Im Bank. These violations and irregularities that were identified include:

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- (b) (7)(E), (b) (6), (b) (7)(C)

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(b) (7)(F), (b) (7)(G), (b) (7)(H)

No additional Ex-Im Bank-insured or guaranteed transactions involving (b) (7)(C) or its affiliate companies were identified.

The above investigative findings were presented to (b) (6) Civil Division of the U.S. Department of Justice (DOJ-Civil) for potential prosecutive action against (b) (7)(C). However, due to the current lack of financial exposure or loss to the Federal Government resulting from the transaction in question, on June 29, 2016, DOJ-Civil declined to take prosecutive action against (b) (7)(C).

On July 20, 2016, the above investigative findings were provided to the (b) (6) for Ex-Im Bank's Office of General Counsel (OGC) for purposes of enhanced due diligence by Ex-Im Bank potential action by Ex-Im Bank against (b) (7)(C).

As a result of the above actions, this investigation is to be closed. Further investigation into this matter is not cost beneficial since there is no financial loss or exposure to Ex-Im Bank and the Federal Government in this matter. There is no financial loss or exposure in this matter because AMD is considering denying (b) (7)(C)' claims filing due to violations by (b) (7)(C) of its <sup>(b) (7)(C), (b) (7)(H)</sup> with Ex-Im Bank. And as such, AMD and Ex-Im Bank are aware of (b) (7)(C)' complacency with regard to (b) (7)(C)'s questionable borrowing base as well as that (b) (7)(C) was not forthcoming with regard to the unfavorable background of the transaction. DOJ-Civil has declined to take action against (b) (7)(C), and the above

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investigative findings have been provided to OGC for whatever action deemed appropriate by Ex-Im Bank against (b) (7)(C) and/or (b) (7)(C).

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(b) (6)

**CLOSING STATUS REPORT**

<b>Title:</b> Counterfeit PIV Cards	<b>Date Opened:</b> September 30, 2016
<b>Case No:</b> 16-0024-OSS-C	<b>Closing Date:</b> September 30, 2016
<b>Agent:</b> (b) (6)	

**Allegations:**

On June 28, 2016, (b) (6), Export-Import Bank of the United States (Ex-Im Bank) contacted (b) (6), Office of Inspector General (OIG), Office of Investigations (OI), Ex-Im Bank, regarding the seizure of three counterfeit Personal Identity Verification (PIV) Cards. On June 28, 2016, (b) (6) explained that Ex-Im Bank contractor guards at the main Ex-Im Bank Lafayette building, 811 Vermont Avenue, NW, Washington, DC, had separately badged three Ex-Im Bank employees, (b) (6), and (b) (6) who had presented their PIV cards for entry to the building. The guards determined that the PIV badges were not genuine and had subsequently seized the photo-copied PIV card.

The investigation was opened to determine if there were violations of Title 18 U.S.C. § 499, Military, naval, or official passes... Whoever falsely makes, forges, counterfeits, alters, or tampers with any naval, military, or official pass or permit, issued by or under the authority of the United States, or with intent to defraud uses or possesses any such pass or permit, or personates or falsely represents himself to be or not to be a person to whom such pass or permit has been duly issued, or willfully allows any other person to have or use any such pass or permit, issued for his use alone, shall be fined under this title or imprisoned not more than five years, or both.

**Closing Summary:**

On September 30, 2016 this Complaint Evaluation was opened and closed as a Case in order to capture the referral to the Ex-Im Bank.

(b) (7)(E), (b) (6), (b) (7)(C)

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(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

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(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

(b) (7)(E), (b) (6), (b) (7)(C)

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(b) (7)(E), (b) (6), (b) (7)(C)

On June 28, 2016, (b) (6) Security Services(b) (6) sent an Ex-Im Bank-wide email informing employees that making copies of their PIV Cards is illegal, strictly prohibited, and would not be tolerated by security officials. Guard entry seizures of the illegally created ID cards ceased immediately and the OIG/OI believes that this communication from the (b) (6) Security Office led to the possible destruction of several other improperly photocopied PIV cards.

Based on the above findings of six interviewed Ex-Im Bank staff which resulted from either guard ID card seizures or other investigative findings, it appears that at a minimum six Ex-Im Bank employees improperly made photocopies of their government issued PIV card. Several interviewed staff denied using the photocopied PIV-cards to enter the building but admitted to cutting the photocopies down to wallet size and/or laminating them. It is a reasonable investigative conclusion that the cards were likely to be eventually used for improper building access.

The warning and criminal violation for improper use of the PIV card is permanently indicated on the back of the PIV card. Ex-Im Bank staff chose to ignore this warning when they photocopied their PIV credentials. Furthermore, the OIG/OI determined that most of the subjects in this inquiry were (b) (7)(E), (b) (6), (b) (7)(C) working in the (b) (7)(E), (b) (6), (b) (7)(C)

On July 25, 2016, this matter was presented to the U.S. Attorney's Office for the District of Columbia, Washington, D.C. for consideration of criminal prosecution under 18 U.S.C. § 499 (Official Passes). DOJ prosecutors declined the matter for prosecution in favor of administrative action.

On August 2, 2016m (b) (6) directed that this matter be referred to (b) (6) ; Ex-Im Bank for Administrative action.

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On September 30, 2016, Ex-Im Bank responded to the referral and reported that they would be taking a series of Administrative Actions against the Ex-IM Bank employees that improperly photocopied, and in some cases used, their federally issued PIV-cards.

On September 30, 2016, Ex-Im Bank/OIG/OI opened the Complaint Evaluation as a Case in order to capture the pending Administrative Actions by Ex-Im Bank officials. Based on the direction of (b) (6) , this case was closed.

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