
Requested date: 01-May-2011

Released date: 05-May-2011

Posted date: 29-October-2012

Source of document: Office of Privacy, Records, and Disclosure
SIGAR
400 Army Navy Drive, CP6
Arlington, VA 22202-4704
Email: FOIA@SIGAR.mil
Re: 11-F-0005

This acknowledges receipt of your May 1, 2011 Freedom of Information Act (FOIA) request to the Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR), for “a copy of the list of closed investigations, including column(s) of data that describe the type of investigation that was performed or subject matter of that investigation.” Your request was received in this office on May 5, 2011.

Provisions of the Act allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to non-commercial requestors. As a non-commercial requestor you will be charged 10-cents a page for duplication, although the first 100 pages are free, as are the first two hours of search time, after which you will pay the per quarter-hour rate ($4.00, $7.00, $10.25) of the searcher. We will construe the submission of your request as an agreement to pay up to $30.00. You will be contacted before any further fees are accrued.

We have queried the appropriate component of SIGAR for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number 11-F-0005. Please refer to this identifier in any future correspondence. You may contact this office at 703-604-3224.

Sincerely,

Kate Gastner
Records Manager
June 2, 2011

Re: 11-F-0005

This letter addresses your May 1, 2011 Freedom of Information Act (FOIA) request to the Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR), for “a copy of the list of closed investigations, including column(s) of data that describe the type of investigation that was performed or subject matter of that investigation.” Your request was received in this office on May 5, 2011.

We have queried the appropriate component of SIGAR for responsive records. A search of the agency yielded voluminous records. Processing these records for releasability will take longer than the twenty-day time limit mandated by that statute. The twenty-day time limit for your request ends June 2, 2011. The FOIA permits the agency a ten-day extension the agency’s response time limit where, as here, there are “unusual circumstances”, given the need to “search for, collect, and examine a voluminous amount of records.”

Your request has been assigned reference number 11-F-0005. Please refer to this identifier in any future correspondence. You may contact this office at 703-604-3224.

Sincerely,

Kate Gastner
Records Manager
June 8, 2011

Re: 11-F-0005

This is an final response to your May 1, 2011 Freedom of Information Act (FOIA) request to the Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR), for “a copy of the list of closed investigations, including column(s) of data that describe the type of investigation that was performed or subject matter of that investigation.” Your request was received in this office on May 5, 2011.

We granted your request under the FOIA, Title 5 U.S.C. § 552, as amended. Our search has revealed 22 pages responsive to your requests. After an initial review of these documents, I determined that portions of them are exempt from disclosure under the FOIA, 5 U.S.C. § 552 (b) (6), (b) (7) (a), and (b) (7) (c). We are releasing a total of 22 pages; all 22 pages are being released in part.

On pages with redactions, we have provided you with the FOIA exemption(s) upon which we have relied. Exemption 6 allows the withholding of information prohibited from disclosure about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy Exemption 7 (a) protects records or information compiled for law enforcement purposes, disclosure of which “could reasonably be expected to interfere with enforcement proceedings.” Exemption 7 (c) protects personal information in law enforcement records, disclosure of which “could reasonably be expected to constitute an unwarranted invasion of personal privacy.”

Under the FOIA’s administrative appeal provision, a requester has the right to administratively appeal any adverse determination an agency makes on his or her FOIA request. If you are not satisfied with this determination, you may appeal to the appellate authority within 60 days from the date of this letter. Your appeal should include a copy of your original request and this response, as well as a discussion of the reasons supporting your appeal. The envelope should be plainly marked to indicate that it contains a Freedom of Information Act appeal. If you decide to appeal, please send your appeal to:

Office of Privacy, Records & Disclosure
Special Inspector General for Afghanistan Reconstruction
400 Army Navy Drive
Arlington, VA 22202

Provisions of the FOIA allow us to recover part of the cost of complying with your requests. In this instance, because the cost is below the minimum, there is no charge.
If you need to contact us about this request, please refer to **11-F-0005**. You may contact this office at 703-604-3224 or FOIA@sigar.mil.

Sincerely,

Kate Gastner
Records Management Specialist

Enclosures: 11F0005-000001-000022
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### Caseload

- **Total Cases:** 177
- **Cases Pending:** 10
- **Cases Closed:** 9

### Review

- **SIGAR Investigations Directorate:**
  - **Date:** 5/16/2011

**FOIA Requested Record 11-F-0005**
Released by SIGAR
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<td></td>
<td></td>
<td>Contractors</td>
<td>Fraud and theft in connection with security contracts</td>
<td>6/10/09</td>
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<td>Misappropriation of a HASC contract &amp; associated forms which he</td>
<td>6/15/09</td>
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<td>The owner of a firm with multiple contracts was instructed to deposit it in a shell account set up by others; a shell account that was used to steal a small amount of money</td>
<td>6/15/09</td>
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<td>902LJ-AF-0022 (ADMIN FILE)</td>
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<td>File initiated to document an evaluation of the physical and judicial security, funding stream, and future needs of the Center</td>
<td>6/20/09</td>
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<td>911HL-0024 (HOTLINE FILE)</td>
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<td>Subject stole a shell account by opening bank acct in name of another company</td>
<td>7/12/2009</td>
<td>Reopened 1-6-11</td>
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<td>Contractors complain of irregularities and possible corruption in the contract bid process. Front Office asked SIGAR to review.</td>
<td>7/11/09</td>
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<td>Bribery of Afghan official</td>
<td>8/1/09</td>
<td>Reopened 1-7-11</td>
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<td>Road construction security contractor paying bribes to a subcontractor</td>
<td>8/12/09</td>
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<td>Contract manipulated to prevent subcontracts</td>
<td>10/31/09</td>
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**SYNOPSIS**

- **09 200-AF-0034**
  - **SUBJECTS:** False Billing; Theft; Conversion
  - **Synopsis:** Complaint alleges the construction money was mishandled by the district and involved in massive fraud.
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 200-AF-0035**
  - **SUBJECTS:** False Claims
  - **Synopsis:** Construction of a school in the district was intentionally extended in order to pocket additional funds, which were pocketed by the employee.
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 300-AF-0036**
  - **SUBJECTS:** False Claims, Construction Co.; Bribery; Bid Rigging
  - **Synopsis:** The employee supposedly received bribes from the construction company in return for supporting their bid.
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 200-AF-0037**
  - **SUBJECTS:** Construction Co.; Contract Fraud
  - **Synopsis:** Complainant is an employee of the construction company and advises of fraud and waste.
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 500-AF-0038**
  - **SUBJECTS:** Embezzlement; Conspiracy
  - **Synopsis:** Complainant advisedly embezzled a large sum of money and fled the country.
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 500-AF-0039**
  - **SUBJECTS:** Company; Bribery; False Claims; Theft of Govt Property
  - **Synopsis:** Captioned subject failed to complete a project thus being overpaid. All equipment was removed from the site as well.
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 300-AF-0040**
  - **SUBJECTS:** Aliens; Bid Rigging and price fixing
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 300-AF-0041**
  - **SUBJECTS:** Bribery
  - **DATE OPENED:** 12/24/09
  - **DATE CLOSED:** 12/24/09

- **09 300-AF-0043**
  - **SUBJECTS:** Construction Company; Bribery; Bid Rigging
  - **Synopsis:** Subjects are members of the construction company and have received bribes from local contractors in exchange for contract information and steering bids.
  - **DATE OPENED:** 12/22/09
  - **DATE CLOSED:** 12/22/09

- **09 100-AF-0044**
  - **SUBJECTS:** Improper Use of CERP Funding
  - **Synopsis:** Complainant provided a list of CERP projects considered suspicious.
  - **DATE OPENED:** 12/22/09
  - **DATE CLOSED:** 12/22/09
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<td>(b) (7)(A)</td>
<td>Captioned subject has awarded a large number of contracts to individuals identified as (b) (7)(A) for everything from Glocks to purchasing furniture. The two sat together and are very defensive about the contracts.</td>
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<td>(b) (7)(C)</td>
<td>Complainant advised he had been asked to pay bribes in order to secure (b) (7)(A) for construction work in (b) (7)(C). The contracts were for road construction in (b) (7)(C) and were being let by (b) (7)(C) agreed to make a monitored bribe payment to (b) (7)(C). Other subjects who work for (b) (7)(C) manipulate the bidding process.</td>
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<td>(b)(7)(A)</td>
<td>was awarded a contract to build a facility in Afghanistan. The contract called for the government to make partial payments to the contractor as the project progressed, however, $X has been paid 90% of the contract despite the fact that very little work has been done and the work that has been completed is unacceptable.</td>
<td>3/1/2010</td>
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<td>(b) (6)</td>
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<td>10</td>
<td>200-HQ-0064</td>
<td></td>
<td>(b)(7)(A)</td>
<td>Complainant advised he is involved in unjustified sole source awards, failure to meet contract specifications and conflict of interest in regards to the contract.</td>
<td>3/17/2010</td>
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<td>(b) (6)</td>
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<td>100-AF-0065</td>
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<td>(b)(7)(C)</td>
<td>Subject company, a contractor receiving contracts from the company, is involved in fraudulent billing practices, knowingly processing inflated invoices submitted by a subcontractor who was also an employee of the company. The company and others are aware of the inflated invoices and may be receiving kickbacks from the contractor.</td>
<td>3/22/2010</td>
<td></td>
<td>(b)(6) Reassign (b)(6)</td>
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<td>200-AF-0067</td>
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<td>(b)(7)(C)</td>
<td>is believed to have assisted numerous Afghan companies to land fuel contracts from the government. According to the source, he represents himself as an equity line of credit he refers to as &quot;the back door&quot; in order to win contracts is alleged to charge up to $X for his services.</td>
<td>4/5/2010</td>
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<td>(b)(6) previously Reassigned (b)(6)</td>
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<td>10 200-AF-0068</td>
<td>It appears HR (T)(A) construction provided “complimentary bids” for contracts awarded to companies that did not comply with the “Sherman Anti-Trust Act” (Bid-Rigging).</td>
<td>4/7/2010</td>
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<td>10 300-AF-0069</td>
<td>Information indicates that D(7)(C) has facilitated the payment of a bribe to D(7)(A) for construction of four buildings.</td>
<td>4/13/2010</td>
<td></td>
<td>Reassigned (d) (6) previously</td>
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<tr>
<td>10 100-AF-0070</td>
<td>Information received indicates that D(7)(A) at the (T)(A) has facilitated the payment of a bribe to D(7)(A) for construction of four buildings.</td>
<td>4/13/2010</td>
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<td>(c) (5)</td>
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<td>10 100-AF-0071</td>
<td>Supposedly involved in project management at the Provincial hospital. Other procurement irregularities noted.</td>
<td>4/16/2010</td>
<td></td>
<td>Re-assigned (d) (6) previously</td>
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<td>10 300-AF-0072</td>
<td>Information against a State employee who has responsibility for subcontract management.</td>
<td>4/16/2010</td>
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<td>10 100-AF-0073</td>
<td>The complaint, alleging fraud, included allegations of kickback under the name D(7)(A) for work performed under the D(7)(A) for work performed under the 13-month schedule and there are no viable or reasonable results of planning, movement, and/or construction.</td>
<td>4/16/2010</td>
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<td>(b) (6)</td>
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<td>10 300-AF-0075</td>
<td>Caption subject is supposedly taking payment from day locals in exchange for allowing access to the site.</td>
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<td>10 100-HQ-0076</td>
<td>Complainant informed SIGAR of ongoing concerns with contract oversight. He makes allegations of faulty hiring and procurement practices, inappropriate relationships between an employee (T)(A) and a particular contractor (T)(A) and bid-rigging, and possible contract fraud.</td>
<td>4/19/2010</td>
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<td>(d) (10)</td>
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<td>SUBJ 7A</td>
<td>False bids on contracts - (b)(3)(A) in Afghanistan.</td>
<td>4/30/2010</td>
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<td>False bids on contracts - (b)(3)(A) in Afghanistan.</td>
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<td>False bids on contracts - (b)(3)(A) in Afghanistan.</td>
<td>4/30/2010</td>
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<td>b(7)(A)</td>
<td>Contract Fraud, Bribery</td>
<td>was awarded a contract in 2007 for the construction of a facility and has not completed them as of yet. The deficiencies noted during an inspection indicate fraudulent billing.</td>
<td>5/25/2010</td>
<td>Closed on 1/28/2011 / Reopened on 3-18-11</td>
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<td>b(7)(C)</td>
<td>False Claims, Theft</td>
<td>Information was received indicating the subject initiated a contract with an individual and when it came time to pay the person, they collected the payment for himself.</td>
<td>6/4/2010</td>
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<td></td>
<td>Contract Fraud, False Claims, Theft</td>
<td>Subjected contracted for dirt and generators. He paid for the first month’s rent but then disappeared. Contract payment may have been manipulated.</td>
<td>6/17/2010</td>
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<td>UNSUS/S, aka Possible Misuse of Contractor Program (7)(A)</td>
<td>Employee complained employees are abusing the program.</td>
<td>6/17/2010</td>
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<td>UNSUS/S, aka Private Project in Afghanistan (7)(A)</td>
<td>Complainant received a contract for a project in Afghanistan roughly 3 months ago. Alleges that several individuals have stopped working and have not been paid.</td>
<td>6/25/2010</td>
<td>Reassigned</td>
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<td>UNSUS/S, aka Bribery; Extortion of Afghan Contractors in Afghanistan Province (7)(C)</td>
<td>Complainant is demanding bribes from Afghans receiving contracts. There is possibly also a large sum in the military also receiving money.</td>
<td>7/16/2010</td>
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<td>UNSUS/S, aka Construction Company Ltd., (7)(A)</td>
<td>Subjected are suspected of using contract project and paying bribe to the inspecting eng.</td>
<td>7/20/2010</td>
<td>Preliminary Status Extended on 2-8-11</td>
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<td>(b)(7)(C)</td>
<td>Information received indicating captioned subjects approved excessive change orders and extra work w/o proper supporting documents and authorized sub-contractors to pay the complainants bribes to &quot;keep them happy.&quot;</td>
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<td>(b)(7)(C)</td>
<td>Complaint received indicating captioned subjects had a prior agreement with two construction companies to provide them with contract awards, thus misusing their authority.</td>
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<td>(b)(7)(A)</td>
<td>Information indicates captioned subjects are over-paying for road construction projects awarded by the Afghan DOT (b)(7)(A)</td>
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<td>(b)(7)(C)</td>
<td>Representative raised suspicions regarding expenditure of $100,000 for purchase of water filters for families within Kandahar Province, District. Payment support under review.</td>
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<td>(b)(7)(C)</td>
<td>(b)(7)(A)</td>
<td>Had provided information that a number of members of the Afghan government had provided information that a number of members of the Afghan government had compromised the selection of the winner, in exchange for a elation of US contracts to the Afghan contractors. Evidence shows US Servicemen laundered the bribery funds back to the US using various laundering methods.</td>
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<td>Procurement fraud pertaining to projects in Afghanistan</td>
<td>(b) (7)(C)</td>
<td>AF; (b) (7)(C)(ii) (i) (x)</td>
<td>9/18/10</td>
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<td>Individual names (b) (7)(A) identified by (b)(8)(G) as being involved in drug trafficking indicated he witnessed what he believed to be false billing perpetrated on the US Govt by his employer</td>
<td>(b) (7)(A)</td>
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<td>Kickback solicitation by or Contract Fraud with Construction Company at</td>
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<td>Failure to make final payment to prime contractor</td>
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<td>Corruption / Theft by Prime Contractor M.A. Construction Company</td>
<td>Complainant was awarded a 1 M USD subcontractor agreement to complete the M.A. project in Iraq. The project proceeded slowly and was under budget. Complainant believes the contractor was not using the equipment as agreed. He was dismissed from the project site for cause and is currently out of work.</td>
<td>9/18/10</td>
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<td>Contract Violations</td>
<td>Complainant makes five allegations of contract violations by Government Contractors with regards to Iraqi Law 49, 49A, 69, 89, and 116.</td>
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<td>Bid Rigging on various Contracts</td>
<td>Individual alleges that M.A. and M.C. were conspiring to rig a large contract for the purpose of awarding the project to M.A.</td>
<td>9/18/10</td>
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<td>Solicited a 1 M USD kickback</td>
<td>Complainant solicited a 1 M USD kickback and was assigned to the SIGAR hotline.</td>
<td>9/18/10</td>
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<tr>
<td>300-AF-0128</td>
<td>Extortion; Conflict of Interest</td>
<td>Complainant alleges that [T/C] is responsible for overseeing the construction of a new bazaar intended to be used by local Afghan merchants. [T/C] is involved in a series of extortions.</td>
<td>10/8/10</td>
<td>[b] (6)</td>
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<tr>
<td>200-AF-0130</td>
<td>American Prime Contractor</td>
<td>Complainant, an employee of Company, alleges that Company has not paid subcontractor after completion of a project. Also, Company has received all payments from the U.S. Government.</td>
<td>10/11/10</td>
<td>[b] (6)</td>
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<tr>
<td>300-AF-0134</td>
<td>Embezzlement of disbursements totaling</td>
<td>Investigation into the embezzlement pursuant to Title 18 U.S.C. 641 and 666</td>
<td>1/11</td>
<td>[ ]</td>
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<tr>
<td>300-AF-0135</td>
<td>Contract Corruption at District</td>
<td>Complainant stated that in 2008, [T/A] Province had a construction contract at the Army FRT and worked there for 4 years. During that time, [T/A] worked alongside and was on board and compliant witness. [T/C] hired [T/A] because of his jewelry and alcohol and after a few days, [T/C] gave the contract to [T/A] and tore up the complainant’s contract and informed him he could not work any longer.</td>
<td>10/14/10</td>
<td>[U] (9)</td>
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| 10   | 300-AF-0137 | C   |     |     |     |     |     |            |                 | (b) (7)(C) | Theft of
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|      |              |     |     |     |     |     |     |            |                 |          |           |             |             |       |
| 10   | 500-AF-0140  | F   |     |     |     |     |     |            |                 | (b) (7)(C) | Theft of
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*SIGAR Investigations Directorate*

*5/16/2011*

*FOIA Requested Record 11-F-0005*

*Released by SIGAR*
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<td>A vehicle at (1) (C) was found to have (b) (7)(A) and this suggests suspicion that the US Government could be billed for $14,000 for this one incident. This matter is being coordinated by (A).</td>
<td>7/7/11</td>
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<td>Military Re-locatable buildings (9)(B)(6) under contract - Victim Procurement Fraud - Violation of Title 18, USC Sections 287 (False Claims) Conspiracy to Defraud - Violation of Title 18, USC Sections 371 &amp; 286 Prohibited Conduct - Violation Title 18, Section 53 (Kickback)</td>
<td>7/7/11</td>
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<td>Bribery; Drug Smuggling; Weapons Smuggling, Major Crimes Task Force (MCTF)</td>
<td>Information received from and seven revealed the (1) has been accepting bribe payments and is also involved in drug and weapon smuggling.</td>
<td>11/14/2010 case opened in error as &quot;Pending&quot; per (A) to Full: 3-4-11</td>
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<td>Investigation based on information relating to (b) (7)(A) alleging that (a) (7)(A) was awarded a contract (7)(A) in the Province in April of 2008. The contract called for the construction of six (6) (7)(A) in the Province. The investigation makes numerous allegations of improper conduct and incomplete construction.</td>
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<td>Unknown Subject, DBA as (b) (7)(A) and (c) (7)(A) alleged of failing to pay subcontractors.</td>
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<td>Alleged misuse of funds by unnamed military units located on 5/15/10. AF. Evasion of sole source contract limits through the prohibited practice of splitting contracts.</td>
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Abuse in a US contract and/or contract fraud.

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FOIA Requested Record 11-F-0005
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Allegations are that (b)(7)(A) the company has submitted false claims for payment related to reimbursement of AFG insurance expenses.
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<td>Statements of work being technical detail: 80/11/A</td>
<td>Complainant states that the 80/11/A wrote that payments being made appear to be salaries, but he is not certain. 80/11/A has requested assistance from SIGAR to review any individual for any infraction they may contain.</td>
<td>1/24/11</td>
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