

BIAF008023

**MEMORANDUM**

Menominee Tribal Enterprises Forestry Center  
Bureau of Indian Affairs  
P.O. Box 670  
Keshena, Wi. 54135

TO: Regional Director  
THROUGH: Regional Forester  
FROM: Menominee Trust Forester *plc*  
DATE: February 3, 2003  
RE: Menominee OIG Investigation

I spoke with Joe Schwartz, OIG investigator, on January 30 regarding the Menominee investigation. During our meeting Mr. Schwartz indicated the U.S. Attorney had expressed the view that the government "wins very few cases involving BIA". This suggested to me that a prejudice already exists against the decision to investigate and prosecute (if the facts support) the alleged fraud, waste and abuse of appropriated fire funds.

I brought my findings of possible fraud, waste and abuse to the Regional Forester and the Contracting Officer because it was my job. They concurred with my findings and, consistent with their job responsibilities, forwarded the information to OIG. A number of MTE forestry staff likewise cooperated with the initial OIG investigation because they felt a moral obligation to do the right thing. None of us realized that the misappropriation of federal funds would be treated differently by the Justice Department just because it occurred under the BIA's watch.

I spoke with Mr. Schwartz again today and suggested a meeting be scheduled that includes OIG, the U.S. Attorney (if possible), MRO forestry and contracting staff and yourself at Ft. Snelling for the purpose of identifying the issue(s) and reaching consensus on the preferred course of action. Mr. Schwartz agreed that this meeting could be helpful and said he would contact the U.S. Attorney regarding its feasibility, after which he would get back to me.

Assuming a meeting can be scheduled, it is my opinion that your expressed support for legal action against MTE or its staff for past or current fraudulent invoicing and/or reprogramming of fire funds to non-fire uses will help remove the U.S. Attorney's political vacillation in this matter. Please let me know, through Mr. West, if you are agreeable to doing this.

CC:  
Contracting Officer

*OIG has arranged a conference call with Congoz for 10:00AM Friday.*

EXHIBIT C