

BIAF007866

MEMORANDUM

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

Joseph 3/21/05
TO: Jay West
Stu Mani
FROM: David Congos *DC*
DATE: March 17, 2005
RE: OIG Invoice Fraud Investigation

I spoke with Joe Schwartz (OIG) and Chris Larson (U.S. Attorney) this afternoon regarding the status of the invoice fraud investigation.

Mr. Larson said he was unsure what direction they were going, but suggested that a criminal charge was unlikely. They may bring some civil action to recover some of the funds or may simply report their findings (to whom I'm not sure) and hope the guilty parties feel sufficiently chastised to mend their ways.

I was not impressed by their scenarios, and asked about the documented situations where MTE clearly billed for work they didn't do. Additionally, I pointed out that over \$250,000 of fire project funds were spent on non-fire activities and that MTE knew this was illegal before they did it. Mr. Larson agreed it was an unpleasant situation but since no one pocketed any money in the deal he didn't think his boss would support any serious actions against the individuals involved.

I then said if the final outcome is nothing, we would have been better off if the investigation had never started, since the MTE people that cooperated have paid a heavy price for doing so and I too have become a target for expecting MTE to comply with the rules. Mr. Larson hoped the final outcome would be better than nothing, but couldn't make any promises.

It is my read that someone very high in the Justice Department has a severe case of political correctness and fears taking an action that might appear insensitive toward Native Americans. Do you have any suggestions on who I, you or we should contact above the Milwaukee office to provide an infusion of courage?