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Federal Communications Commission
Washington, D.C. 20554

March 6, 2017

John Greenewald, Jr.



Re: FOIA Control No. 2017-0314

Dear Mr. Greenewald:

This letter responds to your Freedom of Information Act (FOIA) request for “a copy of records, electronic or otherwise, of a list of all CLOSED investigations by your agency’s Office of the Inspector General, during the calendar years 2005-2013.”

The requested list is enclosed with this letter. As indicated on the chart, certain material has been redacted pursuant to FOIA exemptions 6 and 7(C).

Exemption 6 protects “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.”¹ Balancing the public’s right to disclosure against the individual’s right to privacy, we have determined that release of this information would constitute a clearly unwarranted invasion of personal privacy. The redacted information includes the names of individuals who were the subjects of our investigations. We have determined it is reasonably foreseeable that disclosure would harm the privacy interest of the persons mentioned in these records, which Exemption 6 is intended to protect.

Exemption 7(C) protects “records or information compiled for law enforcement purposes [the production of which] could reasonably be expected to constitute an unwarranted invasion of personal privacy.”² Balancing the public’s right to disclosure against the individual’s right to privacy, we have determined that release of this information would constitute an unwarranted invasion of personal privacy. The redacted information includes the names of individuals who were/are employed at this agency. These names were compiled during the course of our investigations and in instances such as this, the balance favors not releasing these names. We have determined it is reasonably foreseeable that disclosure would harm the Commission or the Federal government’s law enforcement activities, which Exemption 7 is intended to protect.

¹ 5 U.S.C. § 552(b)(6).

² 5 U.S.C. § 552(b)(7)(C).

The FOIA requires that “any reasonably segregable portion of a record” must be released after appropriate application of the Act’s exemptions.³ However, when nonexempt information is “inextricably intertwined” with exempt information, reasonable segregation is not possible.⁴ The redactions and/or withholdings made are consistent with our responsibility to determine if any segregable portions can be released. To the extent non-exempt material is not released, it is inextricably intertwined with exempt material.

We also reviewed the responsive document to determine if discretionary release is appropriate.⁵ The materials protected from disclosure under Exemption 6 are not appropriate for discretionary release in light of the personal privacy interests involved. The materials protected from disclosure under Exemption 7 are not appropriate for discretionary release in light of the law enforcement sensitivities involved.

We are required by both the FOIA and the Commission’s own rules to charge requesters certain fees associated with the costs of searching for, reviewing, and duplicating the sought after information.⁶ To calculate the appropriate fee, requesters are classified as: (1) commercial use requesters; (2) educational requesters, non-commercial scientific organizations, or representatives of the news media; or (3) all other requesters.⁷

Pursuant to section 0.466(a)(5)-(7) of the Commission’s rules, you have been classified as category (2), “educational requesters, non-commercial scientific organizations, or representatives of the news media.”⁸ As an “educational requester, non-commercial scientific organization, or representative of the news media,” the Commission assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. The production in response to your request did not involve more than 100 pages of duplication. Therefore, you will not be charged any fees.

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.⁹ You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as “Review of Freedom of Information Action.”

³ 5 U.S.C. § 552(b) (sentence immediately following exemptions).

⁴ *Mead Data Cent. Inc. v. Dep’t of the Air Force*, 566 F.2d 242, 260 (D.C. Cir. 1977).

⁵ See President’s Memorandum for the Heads of Executive Departments and Agencies, Freedom of Information Act, 74 Fed. Reg. 4683 (2009).

⁶ See 5 U.S.C. § 552(a)(4)(A), 47 C.F.R. § 0.470.

⁷ 47 C.F.R. § 0.470.

⁸ 47 C.F.R. § 0.466(a)(5)-(7).

⁹ 47 C.F.R. §§ 0.461(j), 1.115; 47 C.F.R. § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

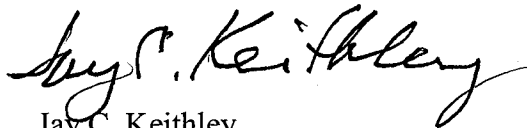
If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission, Office of the Managing Director,
Performance Evaluation and Records Management
445 12th St SW, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

Sincerely,



Jay C. Keithley
Assistant Inspector General-
Investigations

Enclosure
cc: FCC FOIA Office

OIG SAR REPORTING OCTOBER 2010 to OCTOBER 2013

SEMIANNUAL REPORT PERIOD APRIL 2013 - SEPTEMBER 2013

Names of Cases Closed (USF)	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
[REDACTED]	1	Not Reported in SAR	Violations of affiliate transaction rules	Closed Due to Lack of Investigative Merit; follow-up audits showed corrective action was taken
[REDACTED]	1	Not Reported in SAR	Violations of affiliate transaction rules	Closed Due to Lack of Investigative Merit; follow-up audits showed corrective action was taken
[REDACTED]	1	Not Reported in SAR	Violations of affiliate transaction rules	Closed Due to Lack of Investigative Merit; follow-up audits showed corrective action was taken
[REDACTED]	1	Not Reported in SAR	ERate; Kickbacks/bribery	Closed Due to Lack of Investigative Merit; No ERate funding involved
[REDACTED]	1	Not Reported in SAR	Fraudulent USF surcharge	Referred to FTC
Lawrence Public Library	1	Lawrence Public Library	ERate; False Claims	Public corruption guilty plea; Sentencing Scheduled for December 2013; Restitution Claims Planned
US Ex Rel. Richardson and Gillis V. Southwest Analytical Computer D/B/A Analytical Computer Systems and Larry Lehmann	1	Larry Lehmann	ERate; False Claims	Agreed to pay \$400,000 and to Debarment from the E-Rate Program and government-wide Voluntary Exclusion from procurement and non-procurement programs for 10 years
[REDACTED]	1	Not Reported in SAR	ERate; Contract Fraud	FCC Closed Due to Lack of Investigative Merit and No Evidence that ERate funds are included
[REDACTED]	1	Not Reported in SAR	High Cost; False Claims Qui Tam	DOJ Declination; FCC Closed Due to Lack of Investigative Merit
Low Income Settlement Proposal	1	Not Reported in SAR	Low Income; Federal Funds Issue	Referred to DOJ
[REDACTED]	1	Not Reported in SAR	ERate; Qui Tam, False Claims LCP rule violations or fraud	DOJ Declination; FCC Closed Due to Lack of Investigative Merit
[REDACTED]	1	Not Reported in SAR	ERate; Qui Tam, False Claims LCP rule violations or fraud	DOJ Declination; FCC Closed Due to Lack of Investigative Merit
Names of Cases Closed (VRS)	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
[REDACTED]	1	[REDACTED]	[REDACTED] fraud investigation	Company went out of business; Declination from DOJ
Names of Cases Closed (Internal)	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
[REDACTED]	1	Not Reported in SAR	Fraud; Procurement Fraud	Closed Due to Lack of Investigative Merit; DOJ Declined to Intervene

OIG SAR REPORTING OCTOBER 2010 to OCTOBER 2013

[REDACTED]	1	Not Reported in SAR	Procurement Fraud; Contractor Misconduct; Recovery Act	Closed Due to Lack of Investigative Merit
FCC EMPLOYEE	1	Not Reported in SAR	Employee Misconduct; Time and Attendance; Misuse of Government Equipment	Employee Fired
FCC EMPLOYEE	1	Not Reported in SAR	Employee Misconduct; Conflict of Interest; Abuse of Power	Closed Due to Lack of Investigative Merit
[REDACTED]	1	Not Reported in SAR	Employee Misconduct; Conflict of Interest; Abuse of Power	Referred to FBI; FBI Closed Due to Lack of Investigative Merit
Child Pornography Proactive investigation	1	Proactive Investigation of Child Pornography on the FCC Network	Employee Misconduct; Misuse of Government Equipment	No Evidence of Child Pornography Found on Network or on Government Equipment
Lost FCC ID Badge	1	Not Reported in SAR	Employee Misconduct; Abuse of Power	Closed Due to Lack of Investigative Merit
[REDACTED]	4	Not Reported in SAR	Procurement Fraud; Contractor Misconduct; Recovery Act	Closed Due to Lack of Investigative Merit
[REDACTED]	1	Not Reported in SAR	Contract Fraud and Misrepresentation	Referred to FBI Puerto Rico for Action; Civil Action, No Federal Funds Involved
Use of Personal Services Contract by FCC Contracting and Purchase Center (FCC Employee)	1	Not Reported in SAR	Procurement Fraud; Abuse of Management Position	Closed Due to Lack of Investigative Merit

OIG SAR REPORTING OCTOBER 2010 to OCTOBER 2013

SEMIANNUAL REPORT PERIOD OCTOBER 2012 - MARCH 2013

[REDACTED]	1	Not Reported in SAR	USF Contributions	Declination from DOJ
[REDACTED]	1	Not Reported in SAR	Erate; unauthorized submissions	Declination from DOJ
[REDACTED]	1	Not Reported in SAR	Erate; unauthorized submissions	Closed Due to Lack of Investigative Merit
Tower Lighting Issues	1	Not Reported in SAR	FCC Licensing/Licensee Issue	Referred to Bureau
[REDACTED]	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
FILING FEES MATTER	1	Recovery of Auction-Related Licensing Fees	FCC Licensing/Licensee Issue	Closed Due to Lack of Investigative Merit
FCC EMPLOYEE	1	Senior Level FCC Employee Misuse of Leave	Employee Misconduct; Time and Attendance	Closed Due to Lack of Investigative Merit
FCC INTERNAL CONTRACTING, COMPUTER USAGE AND EMAIL CONCERNS	1	Contracting Improprieties, Misuse of Position, and Abuse of Authority by FCC Senior Employee	Employee Misconduct; Time and Attendance	Closed with Administrative Action and Retirement of Subject
FCC EMPLOYEE	1	Not Reported in SAR	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
WTB HIRING ISSUE SUPERVISORY ADMIN MGMT SPECIALIST	1	Not Reported in SAR	Hiring Issues	Closed Due to Lack of Investigative Merit
OMD EMPLOYEES TIME AND ATTENDANCE ISSUES	4	Not Reported in SAR	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Not Reported in SAR	Employee Misconduct; Telework	Referred to Bureau for Administrative Action
FCC CONTRACTOR	1	Not Reported in SAR	Subcontractor Misconduct; Misuse of Government Equipment	Referred to Bureau for Administrative Action
PRIMEX TECHNOLOGY INC. ERIC JENKINS	2	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Guilty Plea
[REDACTED]	4	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
[REDACTED]	1	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
[REDACTED]	1	Not Reported in SAR	FCC Licensing/Licensee Issue	Closed Due to Lack of Investigative Merit
[REDACTED]	1	Not Reported in SAR	FCC Licensing/Licensee Issue	Closed Due to Lack of Investigative Merit
[REDACTED]	2	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
[REDACTED] licensee question	1	Not Reported in SAR	Contractor Misconduct; Fraud	Closed Due to Lack of Investigative Merit
[REDACTED] CONTRACTOR	1	Not Reported in SAR	Contractor Misconduct; Fraud	Closed Due to Lack of Investigative Merit

SEMIANNUAL REPORT PERIOD APRIL 2012 - SEPTEMBER 2012

[REDACTED] / BASIC SERVICES	1	Not Reported in SAR	Erate; bidding violation	DOJ Declination; Closed Due to Lack of Investigative Merit
[REDACTED] Erate	1	Not Reported in SAR	Erate; bidding violation	Closed Due to Lack of Investigative Merit
[REDACTED] Whistleblower	1	Not Reported in SAR	Erate; disclosure of Whistleblower	Closed Due to Lack of Investigative Merit
Judy Greene	1	Not Reported in SAR	Erate Distribution	Plead Guilty
	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
FCC EMPLOYEE	1	Allegations of Time & Attendance Abuse: Employees Taking Long Lunches and Performing Less than a Full Day of Work	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Allegations of Time & Attendance Abuse: Employees Taking Long Lunches and Performing Less than a Full Day of Work	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Allegations of Time & Attendance Abuse: Employees Taking Long Lunches and Performing Less than a Full Day of Work	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Allegations of Time & Attendance Abuse: Employees Taking Long Lunches and Performing Less than a Full Day of Work	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Allegations of Time & Attendance Abuse: Employees Taking Long Lunches and Performing Less than a Full Day of Work	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
EB Employee Misuse of Government Equipment (NY Case)	1	Field Office Employee Misuse of Government Equipment for Prohibited Activities	Misuse of Government Equipment	Referred to Bureau for Administrative Action
[REDACTED]	1	Complaint Regarding Adjudication of Application for Certification to Provide Video Relay Services	FCC Licensing/Licensee Issue	Referred to Bureau for Administrative Action
[REDACTED]	1	FCC Employee Time and Attendance	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
[REDACTED]	1	Grey Market or Counterfeit Goods Provided by FCC Contractor	Procurement Fraud; Contractor Misconduct	Referred to ICE and DOJ
FALSE FACTS DATABASE (Enforcement Bureau) ENTRY BY DISTRICT DIRECTOR	1	Not Reported in SAR	Abuse of Management Position	Closed Due to Lack of Investigative Merit
CONTINUOUS IMPROPER REPRESENTATION OF APPARENT AUTHORITY (CON11000004) [REDACTED]	1	Not Reported in SAR	Abuse of Management Position	Closed Due to Lack of Investigative Merit

OIG SAR REPORTING OCTOBER 2010 to OCTOBER 2013

DESTRUCTION OF CONTRACT RECORDS AND GOVERNMENT PROPERTY ()	1	Not Reported in SAR	Abuse of Management Position	Closed Due to Lack of Investigative Merit
MISUSE OF GOVERNMENT EQUIPMENT AND RESOURCES: FCC PRINT SHOP	1	Not Reported in SAR	Employee Misconduct; Misuse of Position	Closed Due to Lack of Investigative Merit
LAVISH HOUSEKEEPING AND SCIF VEHICLE	1	Not Reported in SAR	Abuse of Management Position	Closed Due to Lack of Investigative Merit
OFFICE OF ADMINISTRATIVE LAW JUDGE (OALJ) BLANKET PURCHASE AGREEMENT (BPA) FOR TRANSCRIPTION SERVICES	1	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
FCC EMPLOYEE	1	Not Reported in SAR	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
()	9	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
(CONTRACT)	2	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
(RECOVERY ACT/BROADBAND CONTRACT)	1	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
(DTV CONTRACT)	4	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
(DTV CONTRACT)	1	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Closed Due to Lack of Investigative Merit
	1	Not Reported in SAR	Procurement Fraud; Contractor Misconduct	Qui Tam Declination by DOJ
WTB HIRING ISSUE SUPERVISORY ADMIN MGMT SPECIALIST	1	Not Reported in SAR	Hiring Issues	Closed Due to Lack of Investigative Merit
	1	Not Reported in SAR	Abuse of Management Position	Closed Due to Lack of Investigative Merit
	1	Not Reported in SAR	Abuse of Management Position	Closed Due to Lack of Investigative Merit
FCC CONTRACTOR	1	Not Reported in SAR	Contractor Misconduct	Referred to Bureau for Administrative Action
PERSONAL IDENTITY INFORMATION BREACH	1	Not Reported in SAR	Employee Misconduct; Failure to Follow FCC Procedure	Referred to Bureau for Administrative Action

OIG SAR REPORTING OCTOBER 2010 to OCTOBER 2013

SEMIANNUAL REPORT PERIOD OCTOBER 2011 - MARCH 2012

Jonathan Slaughter	1	Jonathan Slaughter	USF; fraud	Plead Guilty
Gloria Harper	1	Gloria Harper	Donna English and Project Managers, Inc.	Plead Guilty
Bonheyo	1	Bridget and Jerome Bonheyo	VRS provider; fraud	Plead Guilty
	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
	1		Procurement Fraud; Contractor Misconduct	Closed after Declination by VA Commonwealth Attorney
FCC EMPLOYEE	1	Misuse of Government Equipment	Employee Misconduct; Misuse of Government Equipment	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Employee Conducting Non-FCC Business on Official Time and While Teleworking	Employee Misconduct; Time and Attendance	Referred to Bureau for Administrative Action
FCC Contractor	1	Frequent Visitors	Contractor Misconduct	Referred to Bureau for Administrative Action
FCC Contractor	1	Frequent Visitors	Contractor Misconduct	Referred to Bureau for Administrative Action
	1	Denial of Service Attacks by Private Citizen	FCC Licensing/Licensee Issue	Referred to Bureau for Administrative Action
FEC Referral	1	Referral from Another Federal Agency	Employee Misconduct; Time and Attendance	Referred back to Agency for Administrative Action
ROB Review	1	Internal FCC Policy Review and Recommendations	Abuse of Management Position	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Not Reported in SAR	FCC Licensing/Licensee Issue	Closed Due to Lack of Investigative Merit
FCC EMPLOYEE	1	Not Reported in SAR	Employee Misconduct; Travel Card	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Not Reported in SAR	Employee Misconduct; Failure to Follow FCC Policy	Referred to Bureau for Administrative Action
FCC EMPLOYEE	1	Not Reported in SAR	Hiring Issue	Closed Due to Lack of Investigative Merit

SEMIANNUAL REPORT PERIOD APRIL 2011 - SEPTEMBER 2011

Jeremy Sheets	1	Jeremy R. Sheets	USF; fraud	Plead guilty
Tyrone Pipkin	1	Gloria Harper, Tyrone Pipkin, and Barrett C. White	USF; fraud	Plead guilty
Barrett C. White	1	Gloria Harper, Tyrone Pipkin, and Barrett C. White	USF; fraud	Plead guilty
Donna English and Project Managers, Inc.	1	Donna English and Project Managers, Inc.	USF; fraud	Plead guilty
[REDACTED]	1	Not Reported in SAR	USF; fraud	DOJ Declination
[REDACTED], Central Oklahoma (New Oklahoma)	1	Not Reported in SAR	USF; fraud	Closed Due to Lack of Investigative Merit
Baltimore	1	Not Reported in SAR	USF; fraud	Closed Due to Statute of Limitations
Crystal Automation Systems (CASAIR)/CMSInternet	1	Not Reported in SAR	USF; fraud	Plead guilty
[REDACTED] - Philadelphia	1	Not Reported in SAR	USF; fraud	Not guilty; DOJ Civil Declination
ATR	1	Not Reported in SAR	USF; fraud	DOJ Declination
Iowa BEAR Diverted Funds -- Denise Babcock	1	Not Reported in SAR	USF; fraud	Plead Guilty
	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
Wasteful Use of Lease Space	1	Not Reported in SAR	Abuse of Management Position	Closed Due to Lack of Administrative Action

OIG SAR REPORTING OCTOBER 2010 to OCTOBER 2013

SEMIANNUAL REPORT PERIOD OCTOBER 2010 - MARCH 2011

[REDACTED]	1	General Communications, Inc.	USF; Fraud	Settled
Hewlett-Packard	2	Hewlett-Packard	USF; Fraud	Civil Settlement
Gregory Paul Styles	1	Gregory Paul Styles and Marvin Mitchell Freeman	USF; Fraud	Plead guilty
Marvin Mitchell Freeman	1	Gregory Paul Styles and Marvin Mitchell Freeman	USF; Fraud	Plead guilty
Jeremy R. Sheets	1	Jeremy R. Sheets	USF; Fraud	Plead guilty
Tyrone D. Pipkin	1	Tyrone D. Pipkin and Barrett C. White	USF; Fraud	Plead guilty
Barrett C. White	1	Tyrone D. Pipkin and Barrett C. White	USF; Fraud	Plead guilty
Donna English and Project Managers, Inc.	1	Donna English and Project Managers, Inc.	USF; Fraud	Plead guilty
[REDACTED]	1	Not Reported in SAR	USF; Fraud	Settled
Leonard Douglas LaDuron	1	Not Reported in SAR	USF; Fraud	Debarment
Bradley J. Hansen	1	Not Reported in SAR	USF; Fraud	Not Guilty
[REDACTED]	1	Not Reported in SAR	USF; Fraud	Settled
[REDACTED]	1	Not Reported in SAR	USF; Fraud	Closed-lacked invest. merit
Edinburgh, TX	1	Not Reported in SAR	USF; Fraud	Compliance Agreement Reached
HISD	1	Not Reported in SAR	USF; Fraud	Compliance Agreement Reached
[REDACTED]				
[REDACTED]	# of Cases	TITLE IN SAR	TOPIC COVERED	DISPOSITION
[REDACTED]	1	Stephen Kaffee v. Harinder Kumra, et. Al.	Broadband PCS Spectrum Licenses	Settled
[REDACTED] Licensee Contract Issue	1	Not Reported in SAR	Licensee Issue	Closed due to Lack of Investigative Merit
FCC Retiree Benefits Issue	1	Not Reported in SAR	HR; Benefits	Closed due to Lack of Investigative Merit
Employee Credit Card Issue and Misuse	1	Not Reported in SAR	Procurement; Credit Card Use	Closed due to Lack of Investigative Merit
Video Monitoring Contract Allegations of Misuse	1	Not Reported in SAR	Procurement; Contractor Fraud	Closed due to Lack of Investigative Merit