



DEPARTMENT OF THE ARMY
U. S. ARMY CRIMINAL INVESTIGATION COMMAND
U.S. ARMY CRIME RECORDS CENTER
27130 TELEGRAPH ROAD
QUANTICO, VIRGINIA 22134

REPLY TO
ATTENTION OF

22 APR 2014

FA14-2035

Mr. Douglas J. Albright
3393 Eddie Road
Winnebago, Illinois 61088-8736

Dear Mr. Albright:

This is in response to your request for release of information from the files of the U.S. Army Criminal Investigation Command (USACIDC) received on April 9, 2014.

The enclosed Report of Investigation (ROI) 2006-CID416-50280-8B, responsive to your request, is part of a system of records exempt from the disclosure provisions of the Freedom of Information Act (FOIA). The names of law enforcement personnel, as well as names, social security numbers and other personal items of information pertaining to third parties have been withheld. The removal of this information constitutes a partial denial pursuant to Title 5 USC, Section 552, Exemptions (b)(6), and (b)(7)(C) of the FOIA, because release could violate the personal privacy of other individuals mentioned in the report. We also applied Exemption (b)(7)(E) to withhold the identification numbers of special agents, as well as investigatory records or information compiled for law enforcement purposes where the techniques or procedures for law enforcement investigations or prosecutions would be disclosed.

This partial denial, which is made on behalf of Major General David E. Quantock, Commander, USACIDC, the Initial Denial Authority for USACIDC records under the FOIA, may be appealed to the Secretary of the Army.

If you decide to appeal at this time, your appeal must be submitted within 60 days of the date of this letter. In your appeal, you must state the basis for your disagreement with the partial denial and you should state the justification for its release. Your appeal is made through this Center and should be addressed to the Director, U.S. Army Crime Records Center, 27130 Telegraph Road, Quantico, Virginia 22134 for forwarding, as appropriate, to the Office of the Secretary of the Army, the appellate authority. Please note that your appeal should address information denied in this response and cannot be used to make a new request for additional or new information.

Portions of the report did not originate with this agency. The USACIDC is not the releasing authority for the documents in question; therefore, your request and the documents have been referred to the following agencies for appropriate action and direct reply to you:

Exhibit 1 (pages 000005 thru 000058) have been referred to:

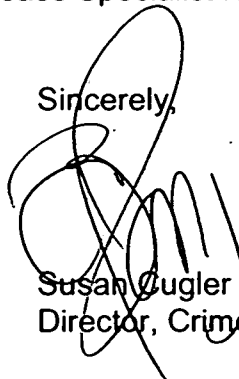
Department of Energy
FOIA Requester Service Center
1000 Independence Avenue, SW
Mail Stop MA-90
Washington, DC 20585

Exhibit 5 has been referred to:

United States Army
Humphreys Engineer Support Center
Attention: CEHEC-OC
7701 Telegraph Road
Alexandria, Virginia, 22315-3860

If you have any questions regarding this release or the withholding of documents please write to the Crime Records Center at the address shown on the letterhead or by calling (571) 305-4235. Please reference the above control number on any correspondence. The Information Release Specialist responsible for this release is Mr. Jon Ali.

Sincerely,

A handwritten signature in black ink, appearing to read 'Susan Cugler', written over the typed name.

Susan Cugler
Director, Crime Records Center

Enclosure

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Northwest Fraud Resident Agency
Major Procurement Fraud Unit, 33400 9th Avenue South, Suite 214, Federal
Way, Washington 98003

13 Jun 2006

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/JOINT - 0002-2006-CID416-50280 -
8B3D / 8M3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 23 MAY 2005, 2101 - 13 DEC 2005, 2059; US ARMY CORPS OF ENGINEERS,
HYDRO DESIGN CENTER, PORTLAND, OR 97208

DATE/TIME REPORTED: 17 JAN 2006, 0600

INVESTIGATED BY:

SA (b)(6) (b)(7)(C) (b)(7)(E)
SA (b)(6) (b)(7)(C) (b)(7)(E)
SA (b)(6) (b)(7)(C) (b)(7)(E)
SA (b)(6) (b)(7)(C) (b)(7)(E)
SA (b)(6) (b)(7)(C) (b)(7)(E)

SUBJECT:

1. UNKNOWN, ; [DISCLOSURE OF PROCUREMENT SENSITIVE
INFORMATION (41 USC 423) (UNFOUNDED)], [COMPETITION IN CONTRACTING
ACT VIOLATION (41 USC 253) (UNFOUNDED)] (NFI)

VICTIM:

1. U.S. GOVERNMENT; PORTLAND DISTRICT, U.S ARMY CORPS OF
ENGINEERS; [DISCLOSURE OF PROCUREMENT SENSITIVE INFORMATION (41 USC
423) (UNFOUNDED)], [COMPETITION IN CONTRACTING ACT VIOLATION (41 USC
253) (UNFOUNDED)]

INVESTIGATIVE SUMMARY:

This investigation was initiated based on information provided by the Department of Energy,

1

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Office of the Inspector General (DOE-OIG), regarding alleged contract fraud committed by employees of the United States Corps of Engineers (USACE).

Investigation did not establish probable cause to believe any USACE employee violated the Competition in Contracting Act, the Procurement Integrity Act nor any other criminal statute, as initially reported.

STATUTES:

- 41 USC 423 Disclosure of Procurement Sensitive Information (Unfounded)
- 41 USC 2532 Competition in Contracting Act Violation (Unfounded)

EXHIBITS:

Attached:

1. Agent's Activity Report (AIR) of SA (b)(6) (b)(7)(C) 17 January 2006, detailing initial notification and receipt of DOE report.
2. AIR of SA (b)(6) (b)(7)(C) 11 May 2006, detailing coordination with GS-15 (b)(6) (b)(7)(C), Division Office of Counsel, USACE, Portland, OR.
3. AIR of SA (b)(6) (b)(7)(C) 12 May 2006, detailing coordination with GS-15 (b)(6) (b)(7)(C), District Office of Counsel, USACE, Portland, OR.
4. AIR of SA (b)(6) (b)(7)(C) 12 May 2006, detailing coordination of GS-11 (b)(6) (b)(7)(C), District para-legal specialist, USACE Portland, OR, and collection of copy of Contract W9127N-04-D-0009 and applicable Sole Source Justification Documents.
5. Copy of Contract W9127N-04-D-0009 and applicable Sole Source Justification Documents.
6. AIR of SA (b)(6) (b)(7)(C) 12 May 2006, detailing interview of GS-13 (b)(6) (b)(7)(C), Contracting Officer, USACE, Portland, OR.
7. AIR of SA (b)(6) (b)(7)(C) 12 May 2006, detailing interview of GS-13 (b)(6) (b)(7)(C), Electrical Engineer, USACE, Portland, OR.
8. AIR of SA (b)(6) (b)(7)(C) 6 June 2006, detailing interview of Mr. Douglas ALBRIGHT, Winnebago, IL.

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9. AIR of SA (b)(6) (b)(7)(C) 6 June 2006, detailing interview of Mr. (b)(6) (b)(7)(C), formerly of USACE, Portland, OR.

Not Attached:

None

The originals of Exhibits 1 thru 4 and 6 thru 9 are attached to the USACRC copy of this report. The original of Exhibit 5 is retained in the files of USACE, 333 SW First Street, Portland, OR 97208.

STATUS: This is a final report. This was a joint investigation with DOE-OIG, case number 05-0173.

REPORT PREPARED BY

REPORT APPROVED BY

SA (b)(6) (b)(7)(C) (b)(7)(E)
Special Agent

(b)(6) (b)(7)(C)
Special Agent-in-Charge

DISTRIBUTION:
SAC, PFFO, Laguna Niguel, CA
File
USACE, Division Office of Counsel, Portland, OR
Director, MPFU
USACE LNO
Dir, USACRC, Ft Belvoir, VA

AGENT'S INVESTIGATIVE REPORT

DETAILS:

BASIS OF INVESTIGATION:

On 17 Jan 06, SA (b)(6) (b)(7)(C) and SA (b)(6) (b)(7)(C) US Army CID, Major Procurement Fraud Unit (MPFU), Federal Way, WA, received a copy of a memorandum from the US Department of Energy (DOE), dated 13 Dec 05, documenting an allegation of mismanagement of DOE Funds by the US Corps of Engineers (USACE). The memorandum included a packet of documents from the DOE Hotline, emails, and letters regarding the allegation (See memorandum and document packet for details).

This report is not intended to reflect all information relayed by the documents, but is a summary based on the Agent's notes and the independent recollection of the reviewing agent(s).

The Bonneville Power Administration (BPA), DOE, entered into an agreement with USACE to acquire hydroelectric turbine efficiency in the form of an Index Test Box (ITB). The ITB is a test instrument used to collect and analyze data to optimize the operating efficiency of a hydroelectric turbine.

In May 2004, the USACE Hydro Design Center (HDC), Portland, OR, awarded a sole-source contract to Actuation Test Equipment Company (ATECO) to complete ITB development and customize the data interface to communicate with USACE's control system. The DOE is the primary funding source for this effort with an initial \$160,000 coming from the BPA.

It is alleged that USACE management, primarily Mr. (b)(6) (b)(7)(C) the USACE HDC point of contact, mismanaged the project, DOE funds, and has attempted to steal trade secret information from ATECO in the form of copy righted computer source code. It is alleged Mr. (b)(6) (b)(7)(C) is attempting to give the source code to Automated Control Systems, Inc (ACSI), Vancouver, WA, whom he favors by hampering ATECO's ability to produce the desired results by the end of the performance period.

It is further alleged USACE made unauthorized changes to a contract modification that ATECO submitted to allot more time to complete their work. The changes were unknown to ATECO or the contract officer representative. The change would have defeated the software copyright and compelled ATECO to divulge the computer source code to USACE and allow unlimited distribution of the trade secret software.

1

REPORTING AGENT:

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

US Army CID, Major Procurement Fraud Unit (MPFU)
Northwest Fraud Resident Agency (NWFR)
33400 9th Avenue South #214, Federal Way, WA 98003

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EXHIBIT

Exhibit(s): 1

Page(s): 000005 thru 000058

Referred to:

**Department of Energy
FOIA Requester Service Center
1000 Independence Avenue, SW
Mail Stop MA-90
Washington, DC 20585**

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AGENTS INVESTIGATIVE REPORT CID Regulation 195-1	0002-06-CID416-50280
	PAGE 1 OF 1 PAGES

DETAILS:

About 1300, 11 May 05, SA (b)(6) (b)(7)(C) coordinated with GS-15 (b)(6) (b)(7)(C) Division Council, U.S. Army Corps of Engineers (USACE), 1125 N. Couch Street, Portland, OR 97208 at his office. Mr (b)(6) (b)(7)(C) advised he could not provide any useful input to this case but provided the name of the District Council division responsible for the hydro-design center.

////////////////////////////////////LAST ENTRY////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6) (b)(7)(C) (b)(7)(E)		Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE	DATE	EXHIBIT	
	11 May 06	2	

CID FORM 94-E

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000059

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AGENTS INVESTIGATIVE REPORT CID Regulation 195-1	0002-06-CID416-50280
	PAGE 1 OF 1 PAGES

DETAILS:

About 0900, 12 May 05, SA (b)(6) (b)(7)(C) coordinated with GS-15, (b)(6) (b)(7)(C) District Council, USACE, 333 SW First Street, Portland, OR 97208 at his office. Mr. (b)(6) (b)(7)(C) advised he was aware of some personality conflicts with the Actuation Test Equipment Company (ATECO) contract, but did not have specifics and had not had any legal documents cross his desk concerning this particular issue.

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6) (b)(7)(C) (b)(7)(E)		Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE	DATE	EXHIBIT	
(b)(6) (b)(7)(C) (b)(7)(E)	12 May 06	3	

CID FORM 94-E

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000060

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AGENTS INVESTIGATIVE REPORT
CID Regulation 195-1

0002-06-CID416-50280

PAGE 1 OF 1 PAGES

DETAILS:

About 0915, 12 May 05, SA (b)(6) (b)(7)(C) coordinated with GS-11 (b)(6) (b)(7)(C) District Council para-legal specialist, USACE, 333 SW First Street, Portland, OR 97208, who provided copies of the ATECO contract and sole source justification.

Review of the Sole Source Justification revealed the patent on the ITB had expired and the government had rights to all source code pertaining to the finished product, but Mr. ALBRIGHT had sole rights to commercialization of the product.

////////////////////////////////////LAST ENTRY////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6) (b)(7)(C) (b)(7)(E)		Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE	DATE	EXHIBIT	
(b)(6) (b)(7)(C) (b)(7)(E)	12 May 06	4	

CID FORM 94-E

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000061

Exhibit(s): 5

Page(s): 000062 thru 000108

Referred to:

**United States Army
Humphreys Engineer Support Center
Attention: CEHEC-OC
7701 Telegraph Road
Alexandria, Virginia, 22315-3860**

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AGENTS INVESTIGATIVE REPORT CID Regulation 195-1	0002-06-CID416-50280
	PAGE 1 OF 1 PAGES

DETAILS:

About 0920, 12 May 05, SA (b)(6) (b)(7)(C) accompanied by GS-15, (b)(6) (b)(7)(C) District Council, USACE, 333 SW First Street, Portland, OR 97208, coordinated with GS-13 (b)(6) (b)(7)(C) Contracting Officer, USACE, 333 SW First Street, Portland, OR 97208, at his office. Mr. (b)(6) (b)(7)(C) was identified as the Contracting Officer for the ATECO contract.

Mr. (b)(6) (b)(7)(C) characterized his relationship with Mr. ALBRIGHT as strained. He stated, "Mr. ALBRIGHT is the type of person that makes you not want to get out of the bed in the morning and come to work." According to Mr. (b)(6) (b)(7)(C) Mr. ALBRIGHT has been difficult and paranoid, and has made numerous insulting accusations against Mr. (b)(6) (b)(7)(C). They have only continued to work with Mr. ALBRIGHT because they saw some value in the product he was bringing to the contract.

Mr. ALBRIGHT's initial contribution to the contract included proprietary software code that would collect data from the dam turbines which would help optimize blade and turbine speeds to maximize efficiency and ultimately save millions of dollars. This software was used as the core component of a piece of hardware called the Index Test Box (ITB)

Mr. ALBRIGHT was extended a sole source contract offer based on the fact that the ITB and accompanying software that would be brought to the table without extensive research and development (R&D) costs. They could then make small modifications to interface the ITB with the existing dam software/hardware and then hopefully expand the software to actually assist in aligning the turbine blades and gate settings. This technology can only be found at this time in Mr. ALBRIGHT's ITB and accompanying software.

According to Mr. (b)(6) (b)(7)(C) the ITB did not perform as well as expected and was using a lot of R&D time to get it up to minimal expectations. He stated the final testing on the ITB did pass the contractual requirements and USACE has purchased one. They now have an eight year option to buy more of the ITB's.

Mr. (b)(6) (b)(7)(C) offered more technical information could be obtained from Mr. (b)(6) (b)(7)(C) who worked with Mr. ALBRIGHT on the technical aspects of this contract. He stated Mr. (b)(6) (b)(7)(C) identified as the Contracting Office Representative was terminated from USACE for matters unrelated to this case.

////////////////////////////////////LAST ENTRY////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6) (b)(7)(C) (b)(7)(E)		ORGANIZATION Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE (b)(6) (b)(7)(C)	DATE 12 May 06	EXHIBIT 6	

CID FORM 94-E

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AGENTS INVESTIGATIVE REPORT
CID Regulation 195-1

0002-06-CID416-50280

PAGE 1 OF 2 PAGES

DETAILS:

About 1030, 12 May 06, SA (b)(6) (b)(7)(C) coordinated with GS-13 (b)(6) (b)(7)(C) Electrical Engineer, US Army Corps of Engineers (USACE), Hydro Design Center (HDC) 333 SW First Avenue, Portland, OR 97204, at his office.

Mr. (b)(6) (b)(7)(C) was also extremely frustrated with Mr. ALBRIGHT and related the extreme difficulty he had experienced trying to work with him. According to Mr. (b)(6) (b)(7)(C) Mr. ALBRIGHT insisted on doing things his way and did not bring to the contract what he said he could.

Specifically Mr. (b)(6) (b)(7)(C) explained Mr. ALBRIGHT was supposed to bring a number of completed software modules which could accomplish several different tasks. These modules contained the proprietary software code that Mr. ALBRIGHT was interested in protecting. The modules themselves were completed functional programs and did not give USACE access to the software code that created it. At a certain point in the program, Mr. (b)(6) (b)(7)(C) requested the modules so that he could identify the appropriate inputs and outputs from the modules in an effort to build on the program. According to Mr. (b)(6) (b)(7)(C) Mr. ALBRIGHT did not have the software bundled into these modules as requested.

The above incident seems to be at the core of Mr. ALBRIGHT's complaint of his software code trying to be stolen. In an effort to get the modules or working information which would have been contained in those modules, Mr. ALBRIGHT feels his proprietary information was at risk. According to Mr. (b)(6) (b)(7)(C) there was never an attempt to steal Mr. ALBRIGHT's code. He further added the code was so bad that he wouldn't want it even if he could get it. They are using the ITB's because they are functional, but they are nowhere near what they had hoped for. He further added Mr. ALBRIGHT does not have the interface programming experience to make the software work as a management tool as was hoped.

SA (b)(6) (b)(7)(C) asked Mr. (b)(6) (b)(7)(C) if it was possible for him to get the code without Mr. ALBRIGHT's approval. He explained he could not get the whole code. The best they could do would be to break down the modules and reverse engineer, but that they had no interest in doing that as it would be incredibly time intensive and they would be better served by starting from scratch.

SA (b)(6) (b)(7)(C) questioned Mr. (b)(6) (b)(7)(C) about his and USACE relationship with Automated Control Systems Inc (ACSI). He explained that over three years ago he/USACE had hired several different people as contract labor to develop the Generic Digital Analog Control System (GDACS). This system is the main automated control system for the dams. After the system was up and running USACE used their own people to operate and maintain they system. The individual contractors who had worked on the GDACS system had formed their own company and had been given some contracts in the past to work on various aspects of upgrades and expansions. This company was used as they had an intimate

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6) (b)(7)(C) (b)(7)(E)		Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE	DATE	EXHIBIT	
(b)(6) (b)(7)(C)	12 May 06	7	

CID FORM 94-E

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000110

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AGENTS INVESTIGATIVE REPORT CID Regulation 195-1	0002-06-CID416-50280
	PAGE 2 OF 2 PAGES

knowledge of the system and how it runs. Mr. (b)(6) (b)(7)(C) was not aware of any inappropriate contracting practices involving ACSI and USACE. He further stated it was possible ACSI would be brought in to expand on the ITB software, but those decisions had not yet been made as far as he knew.

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6) (b)(7)(C) (b)(7)(E)		Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE	DATE	EXHIBIT	
[Redacted]	12 May 06	7	

CID FORM 94-E

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AGENTS INVESTIGATIVE REPORT CID Regulation 195-1	0002-2006-CID426-50280
	PAGE 1 OF 1 PAGES

DETAILS:

About 1325, 06 June 2006, SA (b)(6) (b)(7)(C) coordinated with Mr. Douglas ALBRIGHT, 3393 Eddie Road, Winnebago, IL 61088, President, Actuation Test Equipment Company (ATECO), and discussed his allegations against U.S. Army Corps of Engineers, Portland, Oregon.

Mr. ALBRIGHT re-iterated information previously provided to this office through his Department of Defense Office of the Inspector General (USDODOIG) complaint. Mr. ALBRIGHT emphasized his assertion that GS-13 (b)(6) (b)(7)(C) Electrical Engineer, US Army Corps of Engineers (USACE), Hydro Design Center (HDC) 333 SW First Avenue, Portland, OR 97204, had intentionally sabotaged his efforts to fulfill his contract and that Mr. (b)(6) (b)(7)(C) in concert with unknown others, had attempted to steal his proprietary software code. He further claimed there was an inappropriate relationship between USACE and Automated Control Systems Inc (ACSI), Longview, WA.

According to Mr. ALBRIGHT, Mr. (b)(6) (b)(7)(C) was responsible for illegally rewriting a contract modification with verbiage that would effectively make Mr. ALBRIGHT give up his rights to his proprietary software code. The contract was then presented to Mr. ALBRIGHT to sign and he refused.

Mr. ALBRIGHT could not provide any specific instances or proof of his claims, but he believed there was an inappropriate relationship between USACE and ACSI. He claimed that ACSI received many of the USACE contracts and eventually USACE was going to contract ACSI to use Mr. ALBRIGHT's code to build their own version of his product.

Mr. ALBRIGHT provided other instances where he felt he was not given the appropriate resources and support he needed to provide his part of the contract in a timely manner. He predominately blamed (b)(6) (b)(7)(C) for these setbacks and claimed (b)(6) (b)(7)(C) and others at USACE were incompetent and costing the government money due to their lack of expertise.

Mr. ALBRIGHT stated Mr. (b)(6) (b)(7)(C) former Assistant Contracting Officer on this contract, actually quit his job due to his disgust over the handling of the contract. Mr. ALBRIGHT believed Mr. (b)(6) (b)(7)(C) could provide insight and verification into the accusations he was making. He offered that Mr. (b)(6) (b)(7)(C) was the most straight-forward honest person he had ever met.

Mr. ALBRIGHT stated he was not going to pursue legal action at this time as he eventually was able to complete his contract, "to the letter" and USACE purchased one of his test boxes. He felt the only reason he was successful was because of his resistance to their plans to usurp his technology and provide it to another contractor.

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6) (b)(7)(C) (b)(7)(E)		Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE	DATE	EXHIBIT	
(b)(6) (b)(7)(C)	06 June 2006	8	

CID FORM 94-E

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AGENTS INVESTIGATIVE REPORT CID Regulation 195-1	0002-2006-CID416-50280
	PAGE 1 OF 2 PAGES

DETAILS:

About 1442, 6 June 2006, SA (b)(6) (b)(7)(C) telephonically contacted Mr. (b)(6) (b)(7)(C), former Assistant Contracting Officer, USACE, 333 SW First Avenue, Portland, OR 97204 and discussed the accusations made by Mr. Douglas ALBRIGHT, 3393 Eddie Road, Winnebago, IL 61088, President, Actuation Test Equipment Company (ATECO).

Mr. (b)(6) (b)(7)(C) was identified as the Assistant Contracting Officer which handled Mr. ALBRIGHT's contract. According to Mr. ALBRIGHT, Mr. (b)(6) (b)(7)(C) quit his position at USACE Portland, due to his disgust at the handling of Mr. ALBRIGHT's contract. Mr. ALBRIGHT believed Mr. (b)(6) (b)(7)(C) could corroborate many of his claims and felt Mr. (b)(6) (b)(7)(C) was sympathetic to his grievances.

Mr. (b)(6) (b)(7)(C) is currently unemployed but denied he left USACE Portland due to anything related to the ALBRIGHT contract. Mr. (b)(6) (b)(7)(C) described Mr. ALBRIGHT as an extremely intelligent but often very "presumptuous" person who often "jumped to incorrect conclusions." He believed Mr. ALBRIGHT was "not quite paranoid, but very exacting." He was very inquisitive about how everything at the Dam worked and often requested information and wanted time consuming details about things which were out of the scope of what he had been asked to do. Mr. (b)(6) (b)(7)(C) stated USACE generally expects contractors to come in and do what they are contracted to do and cause as little disruption as possible. Mr. ALBRIGHT took up a lot of people's time with questions and requests that were strictly to satisfy his curiosity and provide information for possible future use, but was outside of the scope of the work which was asked of him. He was also very difficult to communicate with as he was easy to insult and often had his feelings hurt. Often times this was due to his propensity to immediately assume the worst of intentions.

Mr. (b)(6) (b)(7)(C) does agree that GS-13 (b)(6) (b)(7)(C) Electrical Engineer, US Army Corps of Engineers (USACE), Hydro Design Center (HDC) 333 SW First Avenue, Portland, OR 97204 attempted to put wording into a modification to extend Mr. ALBRIGHT's contract. It appeared to Mr. (b)(6) (b)(7)(C) that this wording would indeed release Mr. ALBRIGHT's rights to his source code. This modification however, was to be reviewed and approved by Mr. (b)(6) (b)(7)(C) prior to presentation to Mr. ALBRIGHT. Mr. (b)(6) (b)(7)(C) was unaware of the change and admits he did not review the document prior to presenting it to Mr. ALBRIGHT. Mr. ALBRIGHT did not sign the contract and eventually the wording was removed. He further believes most of the problem between Mr. (b)(6) (b)(7)(C) and Mr. ALBRIGHT can be traced back to the beginning of the contract. Mr. (b)(6) (b)(7)(C) believes USACE did not make it clear to Mr. ALBRIGHT they were looking for his system to be integrated into the current GDAC system. Mr. ALBRIGHT wanted his unit to be a stand alone addition to the current system. This is where Mr. (b)(6) (b)(7)(C) and Mr. ALBRIGHT began to disagree and due to their personalities a middle ground was hard to find.

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6) (b)(7)(C) (b)(7)(E)		ORGANIZATION Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE (b)(6) (b)(7)(C)	DATE 06 June 2006	EXHIBIT 9	

CID FORM 94-E

AGENTS INVESTIGATIVE REPORT CID Regulation 195-1	0002-2006-CID416-50280
	PAGE 2 OF 2 PAGES

Mr. (b)(6) (b)(7)(C) also commented in reference to the USACE relationship with Automated Control Systems Inc (ACSI). Mr. (b)(6) (b)(7)(C) was aware that Mr. ALBRIGHT believed there was an improper relationship between USACE and ACSI, but believes this is a perfect example of how Mr. ALBRIGHT jumps to improper conclusion without any evidence of wrongdoing. Mr. (b)(6) (b)(7)(C) does not know of any improper relationships, gratuities or bribes exchanged between USACE and ACSI.

Mr. (b)(6) (b)(7)(C) believes Mr. ALBRIGHT was treated poorly by USACE, but does not feel anything remotely illegal or criminal was done concerning Mr. ALBRIGHT's contract, and many of his problems were partially his own fault.

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6) (b)(7)(C) (b)(7)(E)		Northwest Fraud Resident Agency 33400 9 th Ave South Federal Way, WA 98003	
SIGNATURE	DATE	EXHIBIT	
	06 June 2006	9	

CID FORM 94-2