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U.S. GENERAL SERVICES ADMINISTRATION
Office of Inspector General

MEMORANDUM TO THE FILE

FROM:

(b) (6), (b) (7)(C)
SPECIAL AGENT IN CHARGE, JI

(b) (6), (b) (7)(C)

SUBJECT:

CLOSING MEMO

Re: **Z17W00010**

Potential Misrepresentations of Oxygen Forensics Inc.
and Related Companies

This memorandum presents the findings of the investigation. No further actions or referrals are necessary to close this matter. This memorandum only presents a summary of key actions taken during the investigation and does not capture all aspects of the investigation.

On or about June 13, 2016, GSA OIG was notified by a law enforcement source that Oxygen Forensics Inc. is likely operating out of a shell location and that their principal business is located in Russia. Oxygen Forensics was alleged to have been providing Russian made software to the US Government through their GSA Schedule Contract GS-35F-312CA, in violation of the Trade Agreement Act clause.

JI-W agents visited the Oxygen Forensics' U.S. business location on several occasions to conduct interviews. During those visits no software engineers or programmers were present. On July 12, 2017, JI-W agents interviewed Lee Reiber, Chief Operating Officer of Oxygen Forensics. The information obtained during the interview indicated that the Oxygen Forensics software may be produced in Russia.

On or about October 18, 2017, JI-W agents served Inspector General Subpoenas for documentation surrounding the production location of items sold through the GSA Schedule and the certifications regarding their country of origin. The subjects of the subpoenas provided responsive documents. The documents appeared to indicate that the products offered on the GSA Schedule contract were produced in Russia.

On or about February 5, 2018, JI-W agents met with Assistant United States Attorneys (AUSAs) from the civil and criminal divisions of the United States Attorney's Office in the Eastern District of Virginia. After a discussion of the case the AUSAs declined to pursue the case in favor of GSA pursuing administrative action.

On or about April 5, 2018, JI-W agents requested a Country of Origin (COO) determination from the United States Customs and Border Protection (CBP) for the items that Oxygen Forensics offers on its GSA Schedule. On June 25, 2018, CBP responded and provided an opinion that the items were produced in Russia.

On August 17, 2018, JI-W agents notified the GSA Contracting Officer responsible for the administration of Oxygen Forensics' Schedule Contract of CBP's opinion.

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On August 22, 2018, the GSA Contracting Officer notified JI-W agents that Oxygen Forensics' Schedule Contract will be terminated.

On September 10, 2018, JI-W agents confirmed that Oxygen Forensics' items had been removed from GSA Advantage and their catalog had been removed from GSA eLibrary.

This matter does not require any further investigation or action.

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