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JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Thursday, April 15, 2010

Former U.S. Army Reserve Officer Pleads Guilty to Accepting Illegal Gratuities Related to Contracting When Serving at Camp Arifjan, Kuwait

A former captain in the U.S. Army Reserve pleaded guilty today to accepting thousands of dollars in gratuities from a contractor during his deployment to Kuwait, announced Assistant Attorney General Lanny A. Breuer of the Criminal Division.

Markus E. McClain, 31, of Brandon, Miss., pleaded guilty today before U.S. District Court Judge Reggie B. Walton in the District of Columbia to a criminal information charging him with accepting an illegal gratuity.

According to the court document, then-Lt. McClain served in 2004 in a unit at Camp Arifjan, Kuwait, responsible for administering contracts for buses, non-tactical vehicles and other materiel. According to the court document, representatives from a company that held a contract to provide buses to the U.S. military offered McClain cash and other things of value in return for the extension of its contract. While McClain initially declined this offer, he admitted he later accepted \$15,000 in cash from a senior executive of the company. McClain admitted that this payment was for or because of actions he took in an effort to secure the extension of the company's contract.

McClain faces up to two years in prison and a fine of \$250,000 at sentencing. In addition, McClain agreed to pay \$30,000 in restitution to the United States. A sentencing date has not yet been set by the court.

This case is being prosecuted by Trial Attorneys Richard B. Evans and Kevin O. Driscoll of the Criminal Division's Public Integrity Section, and Trial Attorneys Mark W. Pletcher and Emily W. Allen of the Criminal and Antitrust Divisions. The case is being investigated by the Army Criminal Investigations Division, the Defense Criminal Investigative Service, the FBI, the Internal Revenue Service, the Special Inspector General for Iraq Reconstruction (SIGIR), U.S. Immigration and Customs Enforcement at the Department of Homeland Security, and members of the National Procurement Fraud Task Force and the International Contract Corruption Task Force (ICCTF).

Today's charge is an example of the Department of Justice's commitment to protect U.S. taxpayers from procurement fraud through the National Procurement Fraud Task Force. The National Procurement Fraud Initiative, announced in October 2006, is designed to promote the early detection, identification, prevention and prosecution of procurement fraud associated with the increase in contracting activity for national security and other government programs. The ICCTF is a joint law enforcement agency task force that seeks to detect, investigate and dismantle corruption and contract fraud resulting from U.S. Overseas Contingency Operations, including Afghanistan, Iraq and Kuwait.

Anyone with information concerning illegal conduct in the procurement of goods or services involving DOD contracts in Iraq or Afghanistan is urged to contact the National Procurement Fraud Task Force at 202-514-7023 or the Public Integrity Section at 202-514-1412.

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Criminal Division

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