

U.S. Army Major/Contracting Officer Gives Himself Extra Pay, Now Faces Jail Time

Written by Administrator
Tuesday, 13 July 2010 00:00

Life in a warzone is stressful, not to mention dangerous. That's why contractors who deploy there often get hazardous duty and danger pay salary uplifts. But typically, such salary uplifts are provided pursuant to established policy and authorized by appropriate management levels. On July 7, 2010, the Department of Justice (DOJ) [announced](#) that "U.S. Army Major Charles E. Sublett, 46, of Huntsville, Ala., pleaded guilty today ... to making false statements to a federal agency." According to the indictment, Major Sublett smuggled into the U.S. "more than \$100,000 in currency, concealed in a shipping package" mailed from his duty station in Iraq.

The DOJ announcement provided more details, as follows—

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Sublett was deployed to Balad Regional Contracting Center on Logistical Support Area (LSA) Anaconda in Iraq from August 2004 through February 2005. LSA Anaconda is a U.S. military installation that was established in 2003 to support U.S. military operations in Iraq. [While there] Sublett served as a contracting officer while deployed to LSA Anaconda. As a contracting officer, Sublett was responsible for, among other things, evaluating and supervising contracts with companies that provide goods and services to the U.S. Army.

Sublett admitted that ... he sent a package from Balad, Iraq, to Killeen, Texas, which was seized by U.S. Customs and Border Protection officers in Memphis. Sublett admitted that, on the international air waybill, he falsely described the contents of the package as books, papers, a jewelry box and clothes with a total declared customs value of \$140 when, in fact, Sublett knew the package contained \$107,900 in U.S. currency and 17,120,000 in Iraqi dinar. Sublett also admitted that he failed to file a currency or monetary instruments transaction report (CMIR) as required by federal law when transporting currency in amounts of more than \$10,000 into or out of the United States. [Additionally} Sublett admitted to making false claims to investigators regarding his attempt to bring the currency into the United States in an effort to impede their investigation.

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This reminds us of a [previous article](#), where former U.S. Army Captain Michael Dung Nguyen was sentenced to 30 months in federal prison for the crime of theft of government property. Captain Nguyen, a purchasing officer, mailed at least \$690,000 in funds from the safe located in his battalion's station—the safe to which only he had the combination—and mailed the ill-gotten loot home to himself in Oregon. Capt. Mike proceeded to live it up until his new lifestyle came to the attention of the IRS. Oops.

Capt. Mike stole funds from his commander, his battalion, and the U.S. Government. He received a prison sentence of less than three years duration. Major Sublett stole more than \$107,000 and is facing a sentence of five years in prison plus a fine of \$250,000. Capt. Mike was convicted of “theft of government property” and Major Sublett pleaded guilty to one count of violation of the False Statements Act.

What the heck is going on here, Department of Justice? Are there no other criminal statutes available to your prosecutors? We have lamented the rise of corruption—both in the ranks of government officials and in the ranks of contractor employees. We have scolded the Department of Defense for a lack of internal controls and a lack of common sense-inventory management procedures which, if they had been implemented, possibly would have detected or even

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prevented these brazen thefts of military funds. Now we look at Attorney General Eric H. Holder, Jr.—and we ask why his prosecutors don't make some examples of these miscreants?

Maybe it's okay to do the crime, when you can be pretty sure you won't do the time.