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Contact: Cassie Fulghum
Public Information Officer
Cassandra.Fulghum@usdoj.gov

Virginia Businessman Sentenced for Bribery of FBI Official

Robert Bailey Sentenced to 18 Months in Federal Prison

POCATELLO – Robert Bailey, 63, of Centreville, Virginia, was sentenced to 18 months in federal prison for paying a bribe to a public official, Acting U.S. Attorney Rafael M. Gonzalez, Jr. announced today. U.S. District Judge B. Lynn Winmill also imposed a \$100,000 fine and a term of three years of supervised release to follow Bailey's prison sentence.

“When private individuals perform contracts for the government, they effectively become public servants who must uphold a public trust,” said Gonzalez. “Mr. Bailey breached that trust and now faces the consequences of his actions. The Court's 18-month sentence sends the appropriate message to Mr. Bailey and other similarly-situated government contractors: take the public trust seriously or wind up behind bars.”

“Bailey bribed an FBI Contracting Officer Representative in order to gain personal advantages in the contracting process. Today's sentencing shows that those who seek advantages through disingenuous means like bribes will be held accountable,” said Douglas B. Bruce, Special Agent in Charge of the Department of Justice Office of the Inspector General Denver Field Office.

According to court records, in 2001, Bailey purchased L-1, a construction management and operations company located in Chantilly, Virginia. In 2008, Bailey became a business acquaintance of a Federal Bureau of Investigation (FBI) employee when they worked together on an FBI construction project. The FBI employee, who held the position of Management and Program Analyst, was responsible for managing construction and services contracts for FBI buildings across the country.

According to court records, in 2017, the FBI broke ground on the construction of a data center in Pocatello, Idaho (the Pocatello Data Center project). The Pocatello Data Center project involved construction of a two-building, 140,000 square-foot complex that would accommodate data halls containing computer equipment and office space. The purpose was to consolidate multiple FBI data centers from across the country and improve efficiency and cyber-security. In 2017, the FBI employee became the Contracting Officer Representative (COR) for the Pocatello Data Center project. In that position, the FBI employee had management and oversight responsibilities over the construction of the Pocatello Data Center.

According to court records, in 2016 through 2018, Bailey and L-1 made payments, and gave items of value, to the FBI employee. These payments included 18 deposits totaling \$120,000 into a bank account controlled by the FBI employee. From this account, the FBI employee made payments on

a personal loan, home mortgage, car, credit card, and vacation travel costs, among other personal expenditures at retail stores, such as a pair of diamond earrings that cost \$5,300. In addition, Bailey and L-1 provided the following items of value to the FBI employee: a fiftieth birthday party in Dallas, Texas, including first-class airfare, hotel accommodations, and tickets to a Dallas Cowboys football game; a beach house rental in Nags Head, North Carolina; first-class Amtrak train tickets; invitations to a L-1 company holiday party; and tickets to a Washington Nationals baseball game, among other gratuities. The total value of the payments and gratuities was \$128,128.

According to court records, Bailey and L-1 made these payments, and gave these items of value, to the FBI employee with the intent to influence the FBI employee in performing official acts at FBI to benefit L-1 on the Pocatello Data Center project. These official acts included the following: the FBI employee seeking and receiving authorization for approximately \$16,000 monthly per diem payments from the FBI to Bailey for L-1 employees who stayed at Bailey's house instead of a hotel; the FBI employee soliciting and including Bailey's edits in the statement of work to a \$12.2 million construction and services bridge contract (related to the Pocatello Data Center project) that the FBI later awarded to S-1 (as general contractor) and L-1 (as subcontractor); and the FBI employee convincing his FBI superiors to pay L-1 for its work on the bridge contract at higher Washington, D.C. metropolitan-area labor rates, rather than lower Idaho labor rates.

This case was investigated by the Department of Justice Office of the Inspector General.

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