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United States Files False Claims Act Lawsuit Against Maryland Contractor and Owner

The United States has filed a lawsuit against government contractor Intelligent Fiscal Optimal Solutions LLC (iFOS) and its owner, Tawanda M. Smith, both of Columbia, Maryland, alleging that they violated the False Claims Act by submitting false invoices to the Department of Homeland Security (DHS) in connection with a contract for staff augmentation services awarded by DHS to iFOS.

According to the United States' complaint, iFOS and Smith coordinated with then DHS official Kenneth J. Buck, to steer a contract to iFOS. iFOS and Smith planned for Buck to enter into a subcontract with iFOS following his departure from DHS pursuant to which Buck would serve as the Strategic Advisor for the DHS contract, a role that would necessitate him communicating directly with his successor at DHS on behalf of iFOS. iFOS and Smith were allegedly aware of federal conflict-of-interest rules that limited Buck's ability to communicate directly with DHS officials on behalf of iFOS during a mandatory "cooling off" period that applies to former government officials such as Buck, and they allegedly misled DHS contracting personnel by falsely representing that a different iFOS employee would serve as the Strategic Advisor and concealing their planned involvement of Buck. After the contract was awarded, iFOS and Smith allegedly submitted false invoices to DHS contracting personnel that concealed the extensive work performed by Buck on the contract, which allegedly included improper communications with his DHS successor that violated federal conflict-of-interest laws. The complaint further alleges that iFOS and Smith violated material contract requirements that mandated a background investigation be completed for all iFOS personnel, which Buck never completed. Earlier this month, [Buck settled civil claims](#) relating to his alleged role in the scheme.

"The government's conflict-of-interest rules protect the integrity of the government's procurement process," said Principal Deputy Assistant Attorney General Brian M. Boynton, head of the Justice Department's Civil Division. "This lawsuit demonstrates the Justice Department's commitment to pursue those who make false statements that undermine the government's ability to enforce these important safeguards, or who otherwise misrepresent their compliance with critical contractual requirements.

"The federal procurement system has strict policies to prevent corruption and contract manipulation," said U.S. Attorney Erek L. Barron for the District of Maryland. "These ethics and conflict of interest policies must be enforced to ensure that government contract awards are beyond reproach. In partnership with our investigative partners, our office will continue to hold accountable those who weaken the integrity of our procurement system."

"I appreciate the continued partnership between DHS OIG and the Justice Department, which helps ensure the integrity of DHS programs," said Inspector General Joseph V. Cuffari of DHS Office of Inspector General (OIG). "This lawsuit should serve as a deterrent to individuals intent on defrauding the government."

The lawsuit is captioned *United States v. Intelligent Fiscal Optimal Solutions LLC, et al.*, No. 22- CV No. 1:22-cv-01053-JMC (D. Md.), and is being handled by the Civil Division's Commercial Litigation Branch (Fraud Section) and the U.S. Attorney's Office for the District of Maryland.

DHS OIG is investigating.

Senior Trial Counsel Alicia J. Bentley of the Justice Department's Civil Division and Assistant U.S. Attorney Sarah Marquardt for the District of Maryland are handling the case.

The claims asserted in the United States' complaint are allegations only, and there has been no determination of liability.

Attachment(s):

[Download iFOS redacted complaint.pdf](#)

Topic(s):

False Claims Act

Component(s):

[Civil Division](#)

[USAO - Maryland](#)

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