

# **EXHIBIT 7**



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February 12, 2016

**ELECTRONIC DELIVERY**

Director of Administration and Management  
OSD / Joint Staff Freedom of Information  
1155 Defense Pentagon  
Washington, D.C. 20301-1155

Attention: Appeals Office

**Re: FREEDOM OF INFORMATION ACT APPEAL  
CASE NO. 15-0064-F**

To Whom It May Concern:

We are legal counsel for Volga Dnepr – Unique Air Cargo, Inc. (“Volga Dnepr”) in the matter of Freedom of Information Act (“FOIA”) Request, Case No. 15-0064-F (“the Request”). This correspondence constitutes Volga Dnepr’s appeal of USTRANSCOM’s response to the Request.

Volga Dnepr has been a subcontractor of USTRANSCOM since 2002. From 2002 to 2014, Volga Dnepr flew approximately 13,000 missions on behalf of USTRANSCOM. These missions transported key materials to support U.S. military operations abroad and often placed Volga Dnepr’s employees in danger. Considering Volga Dnepr’s long standing and productive relationship with USTRANSCOM, Volga Dnepr was shocked by USTRANSCOM’s February 9, 2015 pronouncement that Volga Dnepr would no longer be used on USTRANSCOM carriers and tenders (“the determination”), as well as USTRANSCOM’s reticence to provide any justification for its determination. USTRANSCOM’s unilateral determination, without any notice or opportunity to respond to its concerns, demonstrated a complete disregard for applicable statutory and regulatory requirements.

Following the February 9, 2015 determination, Volga Dnepr made repeated attempts to contact USTRANSCOM to ascertain the reasons for the determination, without success. On May 11, 2015, Colon Miller, Director of Government & Defense Programs for Volga Dnepr submitted the Request to USTRANSCOM seeking “information on the reason for release of a message titled ‘Subcontracted-Air Carriers Update’ by USTRANSCOM / TCAQ – CI. Initial message dated February 09, 2015, and follow up message dated March 5, 2015.” See Attachment A, FOIA Request. After Volga Dnepr submitted its FOIA Request, USTRANSCOM issued yet another

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announcement on May 27, 2015, in which it stated that "USTRANSCOM has deemed [Volga Dnepr] unsuitable for use on current USTRANSCOM contracts and tenders." Exhibit B at SPB011.

On December 15, 2015, USTRANSCOM submitted a 41 page response to Mr. Miller, of which 37 pages were redacted. See Exhibit B, USTRANSCOM Response; Exhibit C, Letter from Col. Michael Benjamin to Colon Miller. In addition, six pages were withheld in full. *Id.* Only four pages of the response are truly relevant, and they are heavily redacted. USTRANSCOM's response was postmarked 230 days after Mr. Miller's Request was submitted, well after the 20 day response deadline required by FOIA. 5 U.S.C. § 552(a)(6)(i).

USTRANSCOM's response to the Request is grossly deficient, as documents were wrongly withheld or redacted under 22 U.S.C. § 552(b). Specifically,

- USTRANSCOM withheld six pages without providing any explanation for withholding the documents. USTRANSCOM did not identify the FOIA exemption on which it was relying to withhold each document or any information establishing that the exemption is applicable. USTRANSCOM should release the documents in full, or at a minimum, with redactions identifying any applicable exemption to disclosing the information contained in the pages. See *Mead Data Cent., Inc. v. United States Dep't of the Air Force*, 566 F.2d 242, 260 (D.C. Cir, 1977) ("an agency cannot justify withholding an entire document simply by showing that it contains some exempt material").
- USTRANSCOM redacted portions of documents under 5 U.S.C. § 552(b)(1). See, e.g., Exhibit B at SPB030, FEV Review of TDS Contract p.10. Section 552(b)(1) exempts from release information that is "*properly classified* pursuant an Executive Order." (Emphasis added.) Unclassified documents should not be redacted under this exemption. See *Dep't of the Air Force v. Rose*, 425 U.S. 352, 361 (1976) (noting that FOIA exemptions should be "narrowly construed"). The documents redacted by USTRANSCOM under this exemption, however, appear to be unclassified. See, e.g., SPB021, FEV Review of TDS Contract at 1 (marked unclassified) and SPB030 ("SECRET/NOFORN" marking crossed out); see also Exhibit B at SPB039, February 18, 2015 Transportation Intelligence Center, Foreign Entity Vetting Report ("SECRET/NOFORN" marking crossed out). It also appears that the redacted materials are based on media reports and other public information. See Exhibit B at SPB041, February 18, 2015 Transportation Intelligence Center, Foreign Entity Vetting Report at 4. USTRANSCOM should release unredacted documents or should produce an affidavit by a USTRANSCOM official attesting to the documents' classification. See *Nat'l Sec. Counselors v. CIA*, 960 F. Supp. 2d 101, 167-68 (D.C. Cir. 2013) (ordering the CIA to provide a supplementary declaration confirming that documents were classified where there was a factual question as to their classification).
- USTRANSCOM redacted portions of documents as "non-responsive." See e.g., Exhibit B, SPB01 Memo re Foreign Flag AN-124 Support. As USTRANSCOM's search produced the documents marked as "non-responsive", USTRANSCOM should release the portion of the documents that are redacted as non-responsive, or, in the alternative, should provide the specific 5 U.S.C. § 552(b) exception under which each redaction falls. See *Gahagan v. United States Customs & Border Prot.*, No. 14-2619, 2015 U.S. Dist.

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Lexis. 78583, \* 2 (D. La. June 17, 2015) (ordering in camera review of documents when agency failed to explain why it found the documents when conducting the FOIA search or why it ultimately redacted and produced them). As USTRANSCOM issued a combined notice that several carriers cannot be used on USTRANSCOM contracts and tenders, the information about each carrier, their relationships to each other, and the relative activities of each carrier are relevant to USTRANSCOM's decision concerning Volga Dnepr.

- USTRANSCOM redacted portions of documents under 5 U.S.C. § 552(b)(5) (exemption for attorney-client privilege). See Exhibit B at SPB012, March 4, 2015 email chain regarding "Subcontracted Air Carriers-Update." USTRANSCOM should release the redacted portion of the most recent email on this email chain as the attorney is merely copied on the email and it is apparent that USTRANSCOM is not seeking legal advice. See *Zelaya v. Unicco Serv. Co.*, 682 F. Supp. 2d 28, 39 (D.D.C. 2010) ("carbon copying emails to in-house counsel will not provide the basis for attaching the attorney-client privilege.").
- On several of the produced pages, USTRANSCOM redacted portions of documents without specifying the particular FOIA exemption on which it was relying for each redaction. See, e.g., Exhibit B at SPB02-03, June 18 Email re "FW: Non-Use of Subcontractors"; *id.* at SPB-04-05, July 6 Email re "FW: Subcontracted Air Carriers – Update"; *id.* at SPB06 March 6 Email re "Subcontracted Air Carrier-Update." USTRANSCOM should release these portions of the documents or, in the alternative, should provide the specific 5 U.S.C. § 552(b) exemption under which each redaction falls. See 5 U.S.C. § 552(b) ("the amount of information deleted, and the exemption under which the deletion is made, shall be indicated on the released portion of the record").
- USTRANSCOM redacted portions of most documents under 5 U.S.C. § 552(b)(6) (exemption for personal information). See, e.g., Exhibit B at SPB02-03, June 18, 2015 email chain "FW: Non-use of Subcontractors." The exemption for personal information does not apply broadly, but is intended to "protect intimate details ... surely it was not intended to shield matters of clear public concern as the names of those entering into contracts with the federal government." See *SIMS v. CIA*, 642 F.2d 562, 575 (D.C. Cir. 1980). USTRANSCOM should therefore release the names of the individuals on the email chains, or at the very least, their titles.

Further, USTRANSCOM's response is insufficient because it failed to make "reasonable efforts" to conduct a search for the records Volga Dnepr requested, as is required by 5 U.S.C. § 552(a)(3)(C). Not only was USTRANSCOM's response severely delayed and not in compliance with the 20 day response deadline required by 5 U.S.C. § 552(a)(6)(i), but key responsive documents are missing from the response. For example, USTRANSCOM did not produce the underlying documents on which it relied to prepare the "FEV Review of TDS Contract" PowerPoint presentation, and the underlying documents on which it relied for the February 19, 2015 briefing of Atlas Air. It is difficult to fathom how USTRANSCOM could take the prejudicial and financially harmful action it did against Volga Dnepr based on a few pages of documents. In light of the insufficient response, USTRANSCOM should produce all documents relevant to the request. See *Meeropol v. Meese*, 790 F.2d 942, 956 (D.C. Cir. 1986) (the adequacy of an

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agency's search "is measured by the reasonableness of the effort in light of the specific request").

Finally, in addition to the requests above, to the extent the 5 U.S.C. § 552(b) exemptions may in fact apply to the redactions, we request that the agency release the redacted information as an exercise of its discretionary powers. See *Chrysler Corp v. Brown*, 441 U.S. 281, 293 (1979). We also request a Vaughn index detailing the underlying basis for each assertion of an exemption under 5 U.S.C. § 552(b).

Thank you for your consideration of this appeal.

Sincerely,

Squire Patton Boggs (US) LLP

A handwritten signature in black ink, appearing to read "T. Michael Guiffre". The signature is stylized and written in cursive.

T. Michael Guiffre

Enclosures

# Exhibit A

USTRANSCOM FOIA REQUEST FORM

Date: May 11, 2015

Requestor's Name: Colon Miller

Address: 9400 Grogan's Mill Rd, Suite 220, The Woodlands, TX 77380-3636

Phone Number (including area code): Offc 832-585-8618 / Cell 713-298-7724

Fax Number (including area code): 832-585-8618

E-mail (optional): colon@volga-dnepr.us

**Subject (describe records you are requesting, include inclusive dates and or timeframe, as applicable)**  
Requesting information on the reason for release of message titled "Subcontracted Air Carriers-Update", by USTRANSCOM/TCAQ-CI. Initial message dated February 09, 2015 and follow-up message dated March 05, 2015.

**In order to help determine status to assess fees, please select from the following:**

- An individual seeking information for personal use.
- Affiliated with an educational or noncommercial institution, and this request is made for a scholarly purpose.
- Affiliated with a private corporation and seeking information for use in the company's business (commercial use)
- A representative of the news media and this request is made part of news gather and not for commercial use.

Enter Media Name: N/A

**Select type of Media:**

Newspaper  
Magazine  
Television  
Freelance  
Other

**Purpose:**

To obtain information on the reasons and justification as to why USTRANSCOM/TCAQ-CI released a message titled "Subcontracted Air Carriers-Update", on February 09, 2015, listing Volga Dnepr Airlines (VDA), as an air carrier that "*shall not be used under USTRANSCOM contracts and tenders*". And requesting information on the justification and reasoning why on March 05, 2015 USTRANSCOM released a corrected message outlining that the restrictions on Volga Dnepr Airlines use "*only applies to contracts and tenders executed, or administered, by USTRANSCOM*". Information will be used to determine the basis for listing Volga Dnepr Airlines in release of such a message, to help clarify why Volga Dnepr Airlines was identified by USTRANSCOM/TCAQ-CI, as an air carrier who could no longer be used on USTRANSCOM contracts and tenders.

**This form may not be used for Privacy Act Requests**

## USTRANSCOM FOIA REQUEST FORM

**Willingness to pay Fees (enter amount you are willing to pay):**

Willing to pay actual costs for release.

**Explanation for consideration for a request of fee waiver:**

Waiver not requested, willing to pay actual costs for release of information.

**Additional Comments (optional):**

Both messages were released by Ms. Keri Lindsco, Contracting Officer, Chief Commercial International Branch, USTRANSCOM/TCAQ-CI, at Scott AFB, IL 62225-5357. Through release of their initial message (USTRANSCOM's Message); dated February 09, 2015 titled "***Subcontracted Air Carriers-Update***", USTRANSCOM created a situation causing alarm to those in receipt of the message, and their partners in the cargo airlift industry and logistical support industries surrounding cargo airlift and air carriers, leading to rumors and speculation on the market regarding Volga Dnepr Airline's non-use by USTRANSCOM. This harmed Volga Dnepr's reputation and standing on the global market, as USTRANSCOM did not explain in their messages why Volga Dnepr Airlines could no longer be used on their contracts and tenders, leaving the assumption Volga Dnepr Airlines perhaps violated rules or procedures as a sub-contractor, and therefore could not be used. For this reason USTRANSCOM released a second message dated March 5, 2015, adding that "***this message only applies to contracts and tenders executed, or administered, by USTRANSCOM***". And that "***the February 9, 2015 message is not a limitation on Volga Dnepr Airlines' ability to obtain and continue business on the global market; outside of the contracts and tenders executed, or administered, by USTRANSCOM***". No information has been released or provided as to why Volga Dnepr Airlines was mentioned in the USTRANSCOM's messages, and no information regarding why USTRANSCOM took this position has ever been communicated to the airline or the message recipients, nor to the industry to which USTRANSCOM released the message.

Information is requested as to the basis and reasons' that led USTRANSCOM to release the messages listing Volga Dnepr Airlines as an air carrier not to be used, and is requested for release in accordance with the Freedom of Information Act. Please reply as soon as able expediting the request, as the continual absence of such information can be damaging and harmful to Volga Dnepr Airlines' reputation and standing in the global logistics markets, due to the lack of information and clarity from USTRANSCOM. Thank you for your time and consideration.

Colon Miller  
Director, Government & Defense Programs  
Volga Dnepr Unique Air Cargo  
[colon@volga-dnepr.us](mailto:colon@volga-dnepr.us)  
Office: (832) 585-8611  
Mobile: (713) 298-7724  
9400 Grogan's Mill Rd (Suite 220)  
The Woodlands, TX 77380

**This form may not be used for Privacy Act Requests**



# Exhibit B

**SUBJECT:** Foreign Flag AN-124 Support

**ISSUE:** Provide Information for TCCC

**USTRANSCOM POSITION:**

Volga Dnepr has provided AN-124 charter airlift support to USTRANSCOM to move outsized cargo through a subcontracting arrangement with Atlas Air via the Charter Airlift Services CRAF contract. Volga and [Non-Responsive] have also provided support via subcontracting arrangements on USTRANSCOM Less Than Planeload programs. These programs include Multimodal (MM), Total Delivery Services (TDS), Category A (CAT A), Theater Express (THX), and International Heavyweight Tenders (IHT).

**DISCUSSION:**

[Non-Responsive]

[Redacted]

**- Volga Dnepr**

- Northern Air Cargo, Omni Air, United Parcel Service and Atlas Air were using Volga Dnepr as a subcontractor under the Less Than Planeload programs
- Volga Dnepr has not performed as a subcontractor under the MM contract since August 2014
- Early 2015, TCJ2 determined Volga Dnepr's status should be non-use. This decision was based on intel information they reviewed and analyzed
- On 09 February 15, TCAQ-C e-mailed the customers and air carriers advising Volga Dnepr can no longer be utilized under USTRANSCOM contracts and tenders
- On 05 March 15, TCAQ-C e-mailed another message to all parties emphasizing the non-use determination only applies to USTRANSCOM contracts and tenders. It does not limit their ability to obtain and continue business on the global commercial market
- On 19 February 15, Atlas Air was given a confidential briefing from TCJ2 with regard to the non-use decision. TCAQ-C was also in attendance.
- In late February, Atlas Air sent Volga Dnepr an e-mail advising they had met with USTRANSCOM to discuss the non-use determination

[Redacted] /TCAQ-C /220-7929/20151028

**From:** [REDACTED] TRANSCOM TCAQ (US)  
**To:** [REDACTED]  
**Cc:** [REDACTED] TRANSCOM TCAQ (US)  
**Subject:** FW: Non-Use of Subcontractors  
**Date:** Thursday, June 18, 2015 4:07:43 PM

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(b)

Sorry this is so late in responding. I know you had conversations with (b)(6) and (b)(7) while I was out in late May about the J2 vetting policy.

(b)(6) researched the question and J2 advised their policy on re-analyzing information about subcontractors on the non-use list is completed annually. If new information becomes available for J2 to reconsider the subcontractor's status prior to the annual review, the Prime Vendor would contact AQ to set up a meeting in order for J2 to receive a debrief on the new evidence. And like the debrief Atlas received on why the subcontractor was put in a non-use status, the subcontractor would not be permitted to attend the debriefing about the new facts even though it is their own findings. Although Atlas and Volga would prefer J2 to work directly with Volga Dnepr on any new evidence, this is not possible. Not only is the topic sensitive in nature but also just as Acquisition must always direct any communication exchange to the prime vendor, J2 must act accordingly as well.

I hope this helps.  
regards,

(b)(6)

-----Original Message-----

**From:** (b)(6) [mailto:[REDACTED]@AtlasAir.com]  
**Sent:** Friday, May 29, 2015 3:10 PM  
**To:** (b)(6) TRANSCOM TCAQ (US)  
**Cc:** (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
**Subject:** RE: Non-Use of Subcontractors

(b)(6)

Thank you for the prompt reply. Going forward, it would be useful if USTC could avoid using the suitability verbiage when describing Volga's current ineligibility to bid on USTC business. As we discussed, it could reasonably lead Volga's commercial customers to a negative view on their operating/safety suitability versus the contractual and non-operational suitability reasons for their current ineligibility. While I understand this verbiage may be used in the contract, it has contractual context in those instances. In this type of correspondence, however, that context is absent.

I appreciate the clarification on the "red" highlighting and will chase that down with Volga.

I will also look forward to hear about J-2's guidance.

Thank you again.

Regards,

(b)

-----Original Message-----

**From:** (b)(6) CIV TRANSCOM TCAQ (US)  
[mailto:[REDACTED]@civmail.mil]  
**Sent:** Friday, May 29, 2015 2:53 PM

SPB002

To: (b)(6)  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
Subject: Non-Use of Subcontractors

(b)

(b) sent a second clarification message this week to our prime contractors identifying foreign flag air carriers not to be used for USTRANSCOM contracts and tenders on the Less Than Planeload programs. In her message, it states the non-use doesn't limit the airlines ability to do business in the global market which are outside the USTRANSCOM contracts. I know the word "unsuitable" is used again, however that comes from the Performance Work Statement (PWS). In the paragraph titled Subcontractor Suitability, it states the prime contractor is required to determine the suitability of its prospective subcontractors. I know (b)(6) takes exception to the word "unsuitable" but it is the terminology in the contract.

I reviewed (b) previous messages and Volga Dnepr was not highlighted in red. Someone must have altered it when it was forwarded on. I have proposed future messages of this nature be written in the PDF format and attached to an e-mail so, our wording cannot be altered.

I sent an e-mail to J2 to find out their policy on re-analyzing information about subcontractors put on the non-use list. I'll let you know what I hear back.

V/r,

(b)(6)

-----Original Message-----

From: (b)(6) TRANSCOM TCAQ (US)  
Sent: Wednesday, May 27, 2015 1:58 PM  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
Subject: RE: Ethiopia and Mauritania

Airlift Tender Carriers,

When planning/brokering these movements, please note USTRANSCOM has deemed the following carriers unsuitable for use on current USTRANSCOM contracts and tenders: Non-Responsive  
(b) Volga Dnepr Airlines, Non-Responsive

These unsuitable determinations only apply to contracts and tenders executed, or administered, by USTRANSCOM. This message is not a limitation on these airline's ability to obtain and continue business on the global market; outside of the contracts and tenders executed, or administered, by USTRANSCOM.

v/r,

(b)

(b)(6)  
Contracting Officer  
Chief, Commercial International Branch  
USTRANSCOM/TCAQ-CI  
Scott AFB, IL 62225-5357  
Phone: 618-220-6732  
DSN: 770-6732

From: [REDACTED] TRANSCOM TCAQ (US)  
To: [REDACTED] TRANSCOM TC13 (US)  
Subject: FW: Subcontracted Air Carriers- Update  
Date: Monday, July 06, 2015 7:55:36 AM  
Attachments: image001.png

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(b)

Below are the carriers that have been determined unsuitable for use by USTRANSCOM.

v/r,

(b)

From: (b)(6) TRANSCOM TCAQ (US)  
Sent: Friday, March 06, 2015 12:58 PM  
To: (b)(6)  
Subject: RE: Subcontracted Air Carriers- Update

(b)

USTRANSCOM deemed the following carriers unsuitable for use on current USTRANSCOM contracts: Non-Volga Dnepr Airlines, Non-Responsive

The determination only applies to movements executed under USTRANSCOM programs and does not preclude a vendor from nominating any of these carriers for consideration on future USTRANSCOM contracts. At any point, you may also submit written evidence or information that demonstrates a subcontractor's suitability, which USTRANSCOM will use to reconsider its determination. However, we will not reconsider any entity listed in the U.S. Government Consolidated Screening List (see [http://export.gov/scr/eg\\_main\\_023148.asp](http://export.gov/scr/eg_main_023148.asp)).

v/r,

(b)

(b)(6)

Contracting Officer

Chief, Commercial International Branch

USTRANSCOM/TCAQ-CI

Scott AFB, IL 62225-5357

Phone: 618-220-6732

DSN: 770-6732

From: (b)(6) [mailto:(b)(6)@nationalaircargo.com]  
Sent: Friday, March 06, 2015 12:55 PM  
To: (b)(6) TRANSCOM TCAQ (US)  
Subject: RE: Subcontracted Air Carriers- Update

Hi (b)(6)

Can I get the latest copy of the carrier banned list sent to me? Or, is it on a website?

Thanks (b)(6)

(b)(6)

Vice President Business Development & Sales

2300 Dulles Station Blvd | Suite 220 | Herndon, VA 20171

Direct: 703- 539-5126 Mobile: (b)(6) (b)(6)@nationalaircargo.com

www.GoNational.com

National Email Signature

SPB005

From: (b)(6) TRANSCOM TCAQ (US) [mailto:(b)(6)@mail.mil]  
 Sent: Thursday, March 05, 2015 10:09 AM  
 To: ABX Air; ABX Air; ABX Air; Alaska Air; (b)(6) (US); Allegiant Air; Allegiant Air;  
 American Airlines; American Airlines; (b)(6) (US); Atlas Air; (b)(6) (US); Atlas  
 Air; Delta; Delta; Delta; (b)(6) (US); FedEx; Hawaiian; Hawaiian; Hawaiian; JetBlue; JetBlue;  
 Kalitta; Kalitta; Kalitta; Kalitta; Miami Air; Miami Air; MN Airlines; MN Airlines; MN Airlines; MN Airlines;  
 MN Airlines; NAC; (b)(6); (b)(6); Northern Air Cargo; Northern Air Cargo; Northern Air Cargo;  
 Northern Air Cargo; Omni Air International; Omni Air International; Omni Air International; Omni Air  
 International; (b)(6) (US); Polar; Polar; Polar; United; United; United; United; UPS; UPS; (b)(6)  
 (US); FedEx; (b)(6); (b)(6); UPS; UPS; (b)(6) (US); (b)(6)  
 USAF (US); UPS; (b)(6) (Kalitta); NationalContracts; (b)(6) @AtlasAir.com; Atlas Air /  
 Panalpina / Move One / Chapman Freeborn; Atlas Air / Panalpina / Move One / Chapman Freeborn; FedEx; FedEx;  
 Kalitta / DB Schenker / Delta / AMCS; Northern Air Cargo / JAS Forwarding  
 Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US); (b)(6)  
 (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US); (b)(6)  
 (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
 Subject: RE: Subcontracted Air Carriers- Update

TDS/CAT A/THX/IHAT Carriers,

Regarding release of the initial message dated February 9, 2015, identifying Volga Dnepr Airlines (VDA), as a carrier not to be used under "USTRANSCOM contracts and tenders," this message only applies to contracts and tenders executed, or administered, by USTRANSCOM. The February 9, 2015 message is not a limitation on Volga Dnepr Airlines' ability to obtain and continue business on the global market; outside of the contracts and tenders executed, or administered, by USTRANSCOM.

v/r,

(b)

(b)(6)

Contracting Officer

Chief, Commercial International Branch

USTRANSCOM/TCAQ-CI

Scott AFB, IL 62225-5357

Phone: 618-220-6732

DSN: 770-6732

From: (b)(6) TRANSCOM TCAQ (US)  
 Sent: Monday, February 09, 2015 1:23 PM  
 To: 'AMC - A4'; 'AMC - A4'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'AMCOM'; 'CENTCOM CCJ4'; 'DLA Distribution'; 'DLA Distribution - Corpus Christi'; 'DLA Distribution - Corpus Christi'; 'DLA Distribution - Puget Sound'; 'DLA Distribution - Red River'; 'DLA Distribution - San Joaquin'; 'DLA Distribution - San Joaquin'; 'DLA Distribution - San Joaquin'; 'DLA Distribution - San Joaquin'; 'DLA Distribution - San Joaquin'; 'DLA Distribution - Warner Robins'; 'DLA Distribution - Warner Robins'; 'DLA Distribution - Warner Robins'; 'DLA Distribution - Warner Robins'; 'DLA Distribution - Warner Robins'; 'DLA DSC - Troop Support'; 'DLA DSC - Troop Support'; 'DLA DSC - Troop Support'; 'HQ DLA'; 'NAVICP'; 'NAVICP'; 'NAVSUP ATAC'; 'NAVSUP ATAC'; 'NAVSUP ATAC'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-E'; 'USAMMC-SWA'; 'USAMMC-SWA'; 'ABX Air'; 'ABX Air'; 'ABX Air'; 'Alaska Air'; 'Alaska Air'; 'Allegiant Air'; 'Allegiant Air'; 'American Airlines'; 'American Airlines'; 'Atlas Air'; 'Atlas Air'; 'Atlas Air'; 'Atlas Air'; 'Delta'; 'Delta'; 'Delta'; 'FedEx'; 'FedEx'; 'Hawaiian'; 'Hawaiian'; 'Hawaiian'; 'JetBlue'; 'JetBlue'; 'Kalitta'; 'Kalitta'; 'Kalitta'; 'Kalitta'; 'Miami Air'; 'Miami Air'; 'MN Airlines'; 'MN Airlines'; 'MN Airlines'; 'MN Airlines'; 'MN Airlines'; 'NAC'; 'NAC'; 'NAC'; 'Northern Air Cargo'; 'Northern Air Cargo'; 'Northern Air Cargo'; 'Northern Air Cargo'; 'Omni Air International'; 'Omni Air International'; 'Omni Air International'; 'Omni Air International'; 'Polar'; 'Polar'; 'Polar'; 'Polar'; 'United'; 'United'; 'United'; 'United'; 'UPS'; 'UPS'; 'Julie Caputo'; 'FedEx'; 'National Air Cargo'; 'National Air Cargo'; 'UPS'; 'UPS'; 'UPS'; 'UPS'; 'UPS'; (b)(6) Kalitta'; 'NAC Group E-Mail'  
 Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US); (b)(6)  
 (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
 Subject: Subcontracted Air Carriers- Update

TDS/CAT A/THX/IHAT Carriers,

Based on a recent J2 review, the following carriers shall not be used under your USTRANSCOM contracts and tenders.

224th Flight Unit State Airline JSC  
 Aviacompany Aviastar - TU

Volga Dnepr Airlines (VDA)

MNG Airlines Cargo

Air China Cargo (ACC)

v/r,



(b)

(b)(6)

Contracting Officer

Chief, Commercial International Branch

USTRANSCOM/TCAQ-CI

Scott AFB, IL 62225-5357

Phone: 618-220-6732

DSN: 770-6732

---

**IMPORTANT NOTICE:**

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Please consider the environmental impact before printing this document and any attachments. Print black and white and double-sided where possible.

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Dear Sergey,

On February 19, 2015, and at Atlas' request, I and several members of my team were briefed by USTC regarding the basis for USTC's decision on the suitability of Volga (and 4 other companies) on USTC contracts. Members of TCAQ were also in attendance for USTC.

I began the meeting by stating that Atlas was very concerned about the decision taken with respect to Volga and the abrupt manner in which it was communicated with no advance notice or opportunity to respond. TCAQ acknowledged our position.

We are limited in what we can share based on the confidential nature of discussions. That said, I can share the following:

USTC confirmed that its decision was not taken lightly. They further confirmed that this was not a policy based decision against a Russian company due to the current political environment. In support of USTC's position that this was not policy based, they stated that there are several other Russian carriers that have not been barred.

USTC's suitability decision is not necessarily a permanent decision but may be difficult and time consuming to reverse.

USTC stated that the best course of action at this point would be for Volga to work through the Russian embassy in Washington, DC in order to attempt to get more specific information from the U.S. government and to better understand what, if anything, it can do to take remedial action to reverse the decision.

I have no further information at this time but will continue to monitor and ask to be kept informed. I understand the frustration this action has caused Volga and Atlas remains available to assist in any further way we can. Let me know if you wish to discuss further.

Best regards,

John

From: (b)(6)  
To: (b)(6) TRANSCOM TCAQ (US)  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
Subject: RE: Non-Use of Subcontractors  
Date: Friday, May 29, 2015 3:10:38 PM

---

(b)(6)

Thank you for the prompt reply. Going forward, it would be useful if USTC could avoid using the suitability verbiage when describing Volga's current ineligibility to bid on USTC business. As we discussed, it could reasonably lead Volga's commercial customers to a negative view on their operating/safety suitability versus the contractual and non-operational suitability reasons for their current ineligibility. While I understand this verbiage may be used in the contract, it has contractual context in those instances. In this type of correspondence, however, that context is absent.

I appreciate the clarification on the "red" highlighting and will chase that down with Volga.

I will also look forward to hear about J-2's guidance.

Thank you again.

Regards,

(b)(6)

-----Original Message-----

From: (b)(6) TRANSCOM TCAQ (US)  
[mailto:(b)(6)] (mailto:mail@mail.mil)  
Sent: Friday, May 29, 2015 2:53 PM  
To: (b)(6)  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
Subject: Non-Use of Subcontractors

(b)(6)

(b)(6) sent a second clarification message this week to our prime contractors identifying foreign flag air carriers not to be used for USTRANSCOM contracts and tenders on the Less Than Planeload programs. In her message, it states the non-use doesn't limit the airlines ability to do business in the global market which are outside the USTRANSCOM contracts. I know the word "unsuitable" is used again, however that comes from the Performance Work Statement (PWS). In the paragraph titled Subcontractor Suitability, it states the prime contractor is required to determine the suitability of its prospective subcontractors. I know (b)(6) takes exception to the word "unsuitable" but it is the terminology in the contract.

I reviewed (b)(6) previous messages and Volga Dnepr was not highlighted in red. Someone must have altered it when it was forwarded on. I have proposed future messages of this nature be written in the PDF format and attached to an e-mail so, our wording cannot be altered.

I sent an e-mail to J2 to find out their policy on re-analyzing information about subcontractors put on the non-use list. I'll let you know what I hear back.

V/r,

(b)(6)

-----Original Message-----

SPB010

From: (b)(6) TRANSCOM TCAQ (US)  
Sent: Wednesday, May 27, 2015 1:58 PM  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
Subject: RE: Ethiopia and Mauritania

Airlift Tender Carriers.

When planning/brokering these movements, please note USTRANSCOM has deemed the following carriers unsuitable for use on current USTRANSCOM contracts and tenders: Non-Responsive

(b)(6) Volga Dnepr Airlines, Non-Responsive

(b)(6) These unsuitable determinations only apply to contracts and tenders executed, or administered, by USTRANSCOM. This message is not a limitation on these airline's ability to obtain and continue business on the global market; outside of the contracts and tenders executed, or administered, by USTRANSCOM.

v/r,

(b)

(b)(6)  
Contracting Officer  
Chief, Commercial International Branch  
USTRANSCOM/TCAQ-CI  
Scott AFB, IL 62225-5357  
Phone: 618-220-6732  
DSN: 770-6732

From: (b)(6) TRANSCOM TCAQ (US)  
To: (b)(6) TRANSCOM TCAQ (US)  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCJA (US); (b)(6) TRANSCOM TCJA (US)  
Subject: RE: Response  
Date: Wednesday, March 04, 2015 10:22:57 AM  
Attachments: RE Subcontracted Air Carriers- Update.off

(b)(6)

[Redacted]

(b)(6)

(b)(6)

(b)(6)  
Contracting Officer  
Chief, Commercial International Branch  
USTRANSCOM/TCAQ-CI  
Scott AFB, IL 62225-5357  
Phone: 618-220-6732  
DSN: 770-6732

-----Original Message-----

From: (b)(6) TRANSCOM TCAQ (US)  
Sent: Wednesday, March 04, 2015 10:08 AM  
To: (b)(6) TRANSCOM TCJA (US)  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCJA (US)  
Subject: RE: Response

Thanks Peter!

-----Original Message-----

From: (b)(6) TRANSCOM TCJA (US)  
Sent: Wednesday, March 04, 2015 9:30 AM  
To: (b)(6) TRANSCOM TCAQ (US)  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCJA (US)  
Subject: RE: Response

(b)(6)

[Redacted]

(b)(5)

[Redacted]

(b)(6)

Acquisition Attorney  
USTRANSCOM/TCJA  
Comm Voice: 618-220-4117  
DSN: 312-770-4117

---- Please note new email address (b)(6)@mail.mil ----

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-----Original Message-----

From: (b)(6) TRANSCOM TCAQ (US)  
Sent: Wednesday, March 04, 2015 7:33 AM  
To: (b)(6) TRANSCOM TCJA (US); (b)(6) TRANSCOM TCJA (US)  
Cc: (b)(6) TRANSCOM TCAQ (US); (b)(6) TRANSCOM TCAQ (US)  
Subject: FW: Response

(b)(5)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

-----Original Message-----

From: (b)(6) [mailto:(b)(6)@AtlasAir.com]  
Sent: Tuesday, March 03, 2015 4:56 PM  
To: (b)(6) TRANSCOM TCAQ (US)  
Subject: Fwd: Response

(b)(6)

Please see Sergey Reznikov's note below from Volga. I would like to discuss when you have a moment.

(b)(6)

Sent from my iPhone

Begin forwarded message:

From: Sergey Reznikov <srez@volga-dnepr.us>  
Date: March 3, 2015 at 1:27:30 PM EST  
To: (b)(6) " (b)(6)@AtlasAir.com">  
Subject: RE: Response

(b)(6)

Please let me know what time for ph call is convenient for you. I'm available on my cell nmb (b)(6)

Best regards,

Sergey

From: (b)(6) [mailto:(b)(6)@AtlasAir.com]  
Sent: Saturday, February 28, 2015 1:57 PM  
To: Sergey Reznikov  
Subject: Re: Response

Sergey,

This is to acknowledge receipt of your email. I understand all your points and fully appreciate your frustration. Atlas remains committed to assisting to the extent we can. Let's seek to discuss next steps on Monday.

Regards,

SPB014

(b)

Sent from my iPhone

On Feb 27, 2015, at 5:51 PM, Sergey Reznikov <srez@volga-dnepr.us> wrote:

(b)

Further to our phone conversation yesterday evening, I'm responding as discussed to assist you with additional information and concerns as a result of the below information you provided. Unfortunately the below message leaves me with many more questions and concerns, than I had prior to the reply. I'd like to work together with Atlas and USTRANSCOM in finding a resolution to this issue, and I feel time is of the essence regarding the matter. The reply provided below isn't at an acceptable level of information for us to identify any problems, respond to any accusations, or to right any wrongs that may have been done. Unfortunately in the current situation it appears that we have been accused, tried and convicted without having any opportunity to know what the accusation is and without knowing the charge that is being leveled, it is impossible to respond.

To avoid disparagement, I'm sure you know every company has the legal rights to answer to accusations of wrong doings, violations of policies or procedures, and access to any harmful information that may unfairly harm their business or reputation. The manner in which USTRANSCOM transmitted the message and how it was disseminated and perceived almost instantaneously throughout the industry, has caused a ripple effect to/with our customers. Unfortunately USTRANSCOM's actions are being viewed as action which has intended, or would be reasonably expected to harm the company or its reputation, which would reasonably be expected to lead to unwanted or unfavorable publicity to the Company. We're seeing this in questions from our customers regarding current use and contracts outside USTRANSCOM's scope of responsibility and authority, as many in the industry misinterpret or mischaracterize the message, and apply it as "Volga Dnepr Airlines has been barred from use on ALL U.S. Government Contracts". You can see the ripple effect of such rumors or beliefs in the Freight Forwarding or Cargo Broker arena, as it relates to the use of our airline and services we provide on the global market outside and separate of any USTRANSCOM Contracts or Airlift Tenders. We need clarity and support from USTRANSCOM to reduce the impact of their initial message, and stop any further harm to our reputation or potential business. We fully recognize that USTRANSCOM has complete freedom to select the carriers that are utilized for airlift and have also recognized that USTRANSCOM has not utilized our services for the past 8 months. We have chosen to not question USTC's non-utilization of our services and have assumed that this was due to the current geo-political situation.

Of course our legal team is concerned about the future impact, especially given the lack of information and seemingly lack of understanding by USTC of the potential harm to our company by such actions. I want to first work together with you and request your support in finding a way we can all avoid further problems or harm. Perhaps a corrective message, or a clearer message that delineates USTRANSCOM's position as it relates to contracts under their control and authority, versus the many other types of Governmental Contracts our company supports on a global basis. It's important that the right information and message is sent, that doesn't allow for speculation leading to defamation or disparagement to our company.

Our company is sensitive to and understands USTRANSCOM's challenges and hurdles in today's airlift environment, especially where it relates to shrinking airlift requirements for commercial carriers vs the need to use their own airlift assets, as well as to the sensitivities between U.S. and Russia regarding sanctions. We see this clearly in the lack of use of our services from USTC since early 2014, and fully understand it in this context. However, to have a message barring our use and naming our company that was disseminated throughout the



industry, without any information as to its cause or validity, causes us great concern, as well as presents us with serious problems throughout the industry to dispel any rumors or add clarity to the scope of USTRANSCOM's authority and intent. Having said all this and raised these points with you, please consider discussing the following options with USTRANSCOM;

Subject: Subcontracted Air Carriers- Update

TDS/CAT A/THX/JHAT Carriers,

Regarding release of the initial message dated February 09, 2015, identifying Volga Dnepr Airlines (VDA), as a carrier not to be used under "USTRANSCOM contracts and tenders"; please ensure this information is applied only to USTRANSCOM controlled/authorized contracts and tenders. This decision in no way impacts Volga Dnepr Airlines rights and authorities to continue business outside of USTRANSCOM contracts and tenders on the global market.

I feel this or something similar, would allow USTRANSCOM to still identify our company as a company they no longer will use on their contracts, and also identify to the list of initial recipients that there is a delineation between USTRANSCOM's decision on their contracts and tenders vs. Government Contracts in general, that are outside their scope and control. I feel this would go a long way to reverse the damage that has been done to our reputation and business, and avoid any escalation of recourse or future harm.

Best regards,

Sergey

From: [redacted] [mailto:[redacted]@AtlasAir.com]  
Sent: Tuesday, February 24, 2015 5:33 PM  
To: Sergey Reznikov  
Subject: Re: Response

Dear Sergey,

On February 19, 2015, and at Atlas' request, I and several members of my team were briefed by USTC regarding the basis for USTC's decision on the suitability of Volga (and 4 other companies) on USTC contracts. Members of TCAQ were also in attendance for USTC.

SPB016

I began the meeting by stating that Atlas was very concerned about the decision taken with respect to Volga and the abrupt manner in which it was communicated with no advance notice or opportunity to respond. TCAQ acknowledged our position.

We are limited in what we can share based on the confidential nature of discussions. That said, I can share the following:

USTC confirmed that its decision was not taken lightly. They further confirmed that this was not a policy based decision against a Russian company due to the current political environment. In support of USTC's position that this was not policy based, they stated that there are several other Russian carriers that have not been barred.

USTC's suitability decision is not necessarily a permanent decision but may be difficult and time consuming to reverse.

USTC stated that the best course of action at this point would be for Volga to work through the Russian embassy in Washington, DC in order to attempt to get more specific information from the U.S. government and to better understand what, if anything, it can do to take remedial action to reverse the decision.

I have no further information at this time but will continue to monitor and ask to be kept informed. I understand the frustration this action has caused Volga and Atlas remains available to assist in any further way we can.

Let me know if you wish to discuss further.

Best regards,

(b)

Sent from my iPhone

On Feb 23, 2015, at 10:38 AM, Sergey Reznikov <srez@volga-dnepr.us> wrote:

Noted. Thank you.  
Best regards,  
Sergey

Sent from my iPhone

On Feb 23, 2015, at 9:34 AM, (b)(6) <(b)(6)> @AtlasAir.com> wrote:

Sergey,

I have drafted a summary for you of my confidential briefing with USSTC which they are reviewing. I hope to get something to you later today, latest tomorrow. I told them of the need for a prompt turnaround as we would like to get something for Mr. Isaykin upon his arrival in the US.

I will get back to you as soon as I can.

(b)

Sent from my iPhone

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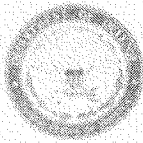
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**UNITED STATES TRANSPORTATION COMMAND**

508 SCOTT DRIVE  
SCOTT AIR FORCE BASE, ILLINOIS 62225-5357

27 July 2015

MEMORANDUM FOR Volga Dnepr Airlines  
Attn: Mr. Sergey Reznikov  
9400 Grogan's Mill Road, Suite 220  
The Woodlands, TX 77380

FROM: TCAQ-C  
508 Scott Drive  
Scott AFB, IL 62225-5357

SUBJECT: Volga Dnepr Airlines; Non-Use Status for United States Transportation Command (USTRANSCOM) Contracts and Tenders

1. Thank you for providing an update of your internal investigation of Volga Dnepr Airlines' flight and customer data bases. I have shared your letter with the appropriate offices within the Command and while the results of your investigation are informative, the information provided does not change the determination. While I commend your company's commitment and dedication to the United States' interest, our findings required notification of the prime contractor, Atlas Air Inc., of Volga Dnepr's unsuitability for use on USTRANSCOM contracts. USTRANSCOM's determination in no way applies to your ability to obtain or continue global market business.

2. I understand the difficulties of not having specific details which led this Command to its determination; however we cannot provide sensitive and classified documentation to you. In addition to the clearance sensitivity, my Division must work directly with the prime contractor, Atlas Air Inc., due to contract privity. The Command continues to review the documentation on the suitability of contractors and we will update our determination as required. USTRANSCOM appreciates all the support Volga Dnepr Airlines has provided in the past.

(S)(U)

Sandra M. Halama  
Chief, Contract Airlift Division

cc:  
Atlas Air, Inc.

SPB020

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# FEV Review of TDS Contract

Overall Classification: ~~SECRET//NOFORN~~

Derived from: Multiple Sources  
Reason: 1.4(c)  
Declassify on: 17 Oct 2037

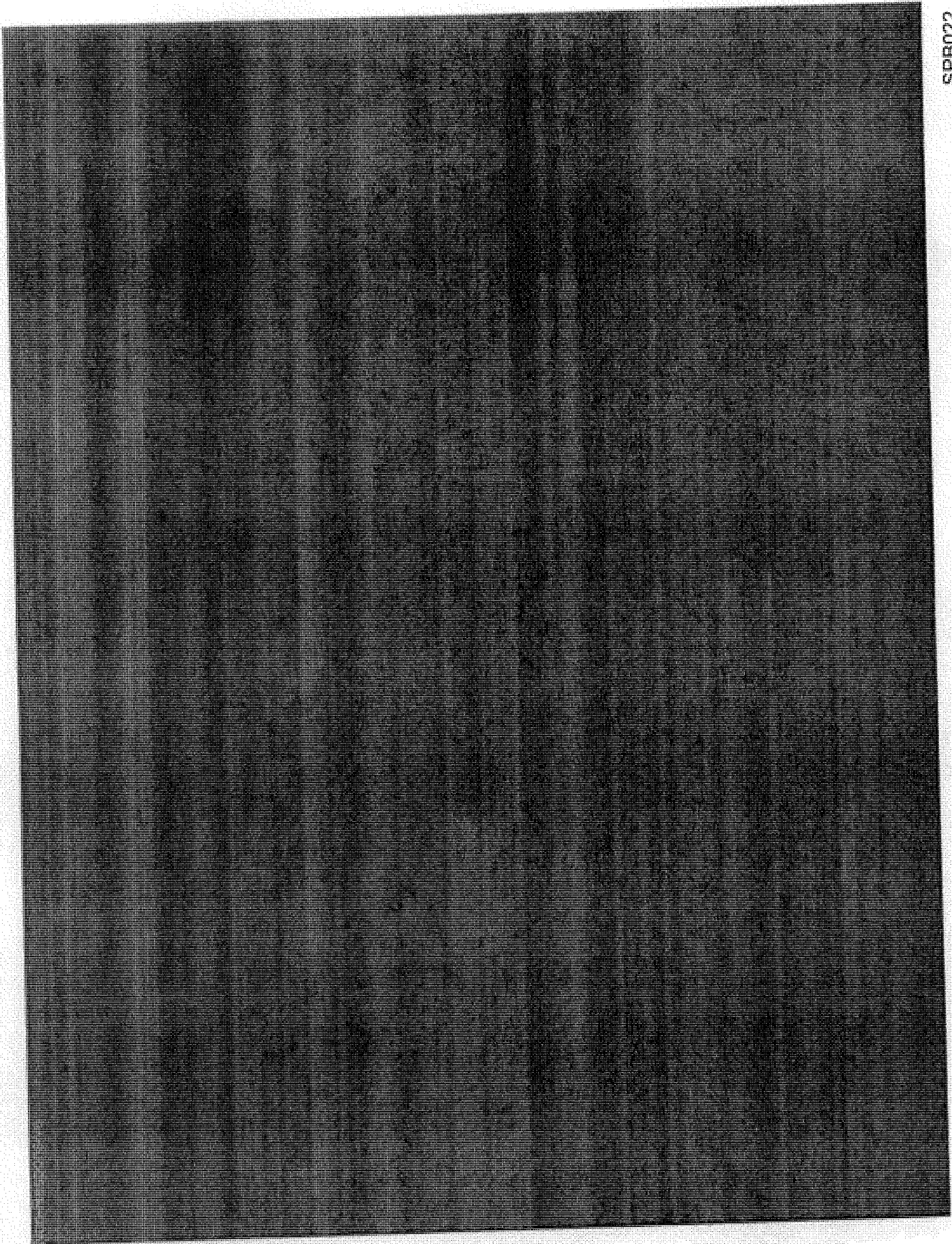
Together, we deliver.

TC12-X

Current as of 18 FEB 2015

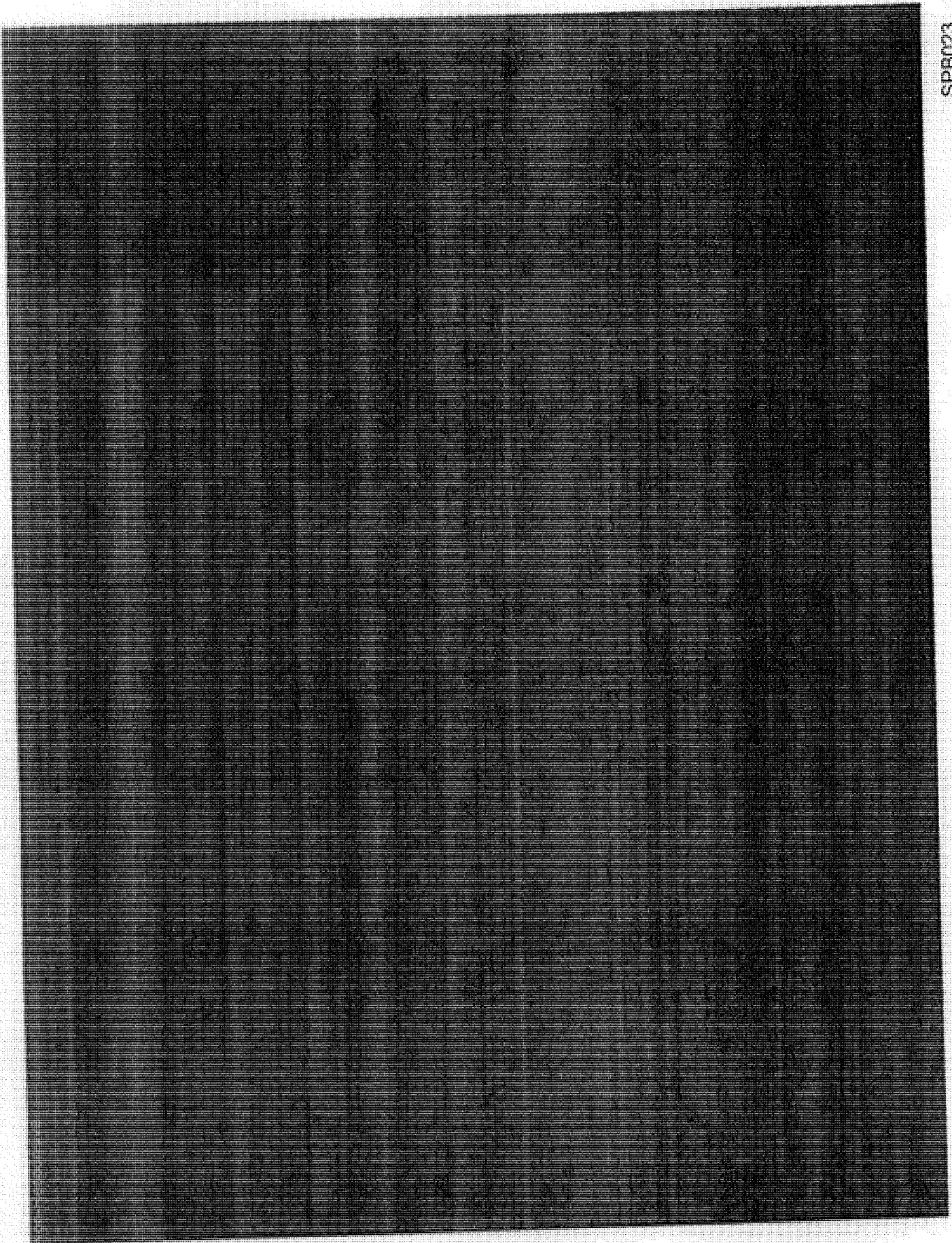
UNCLASSIFIED//OFFICIAL USE ONLY

SPB021

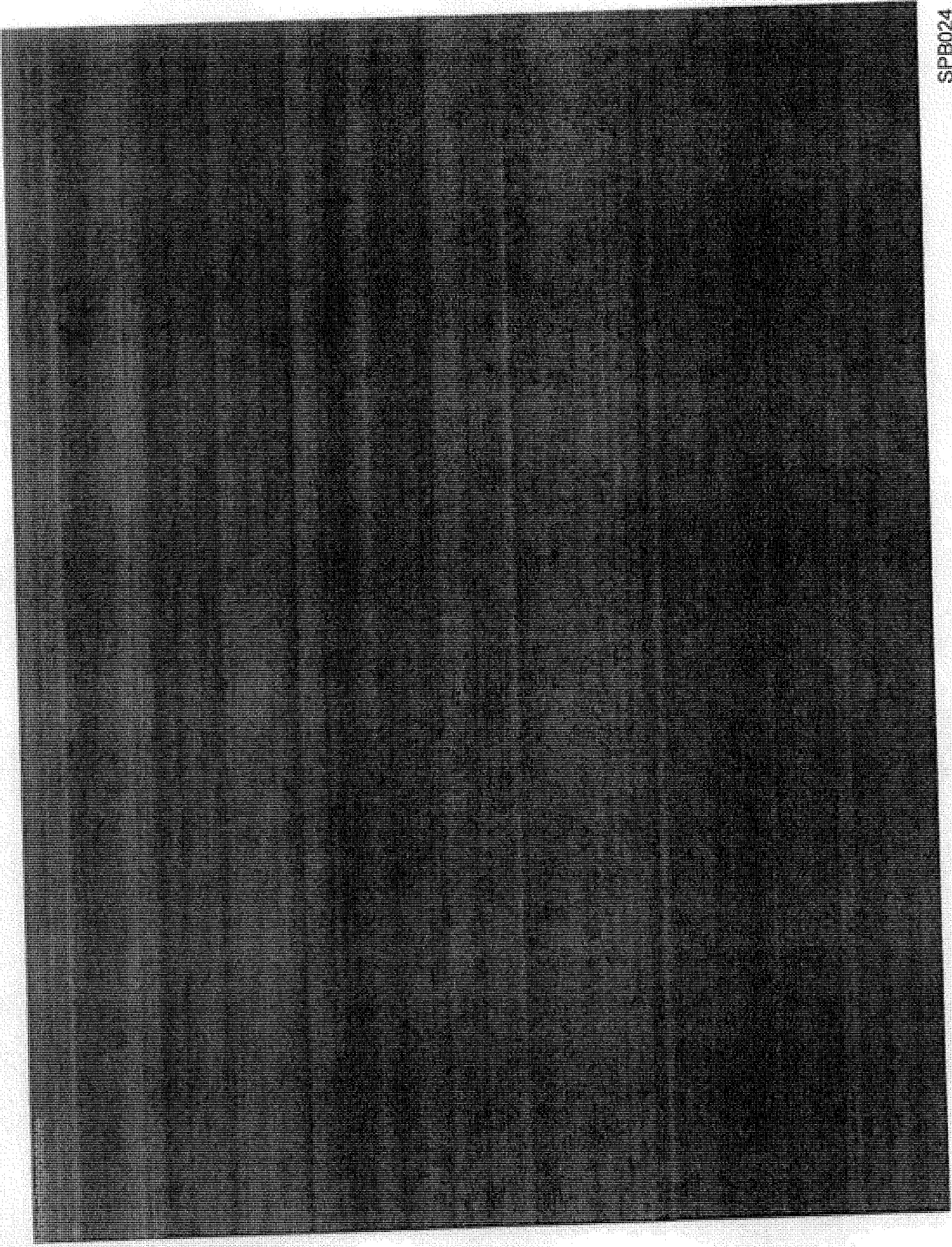


SPB022

SPB023

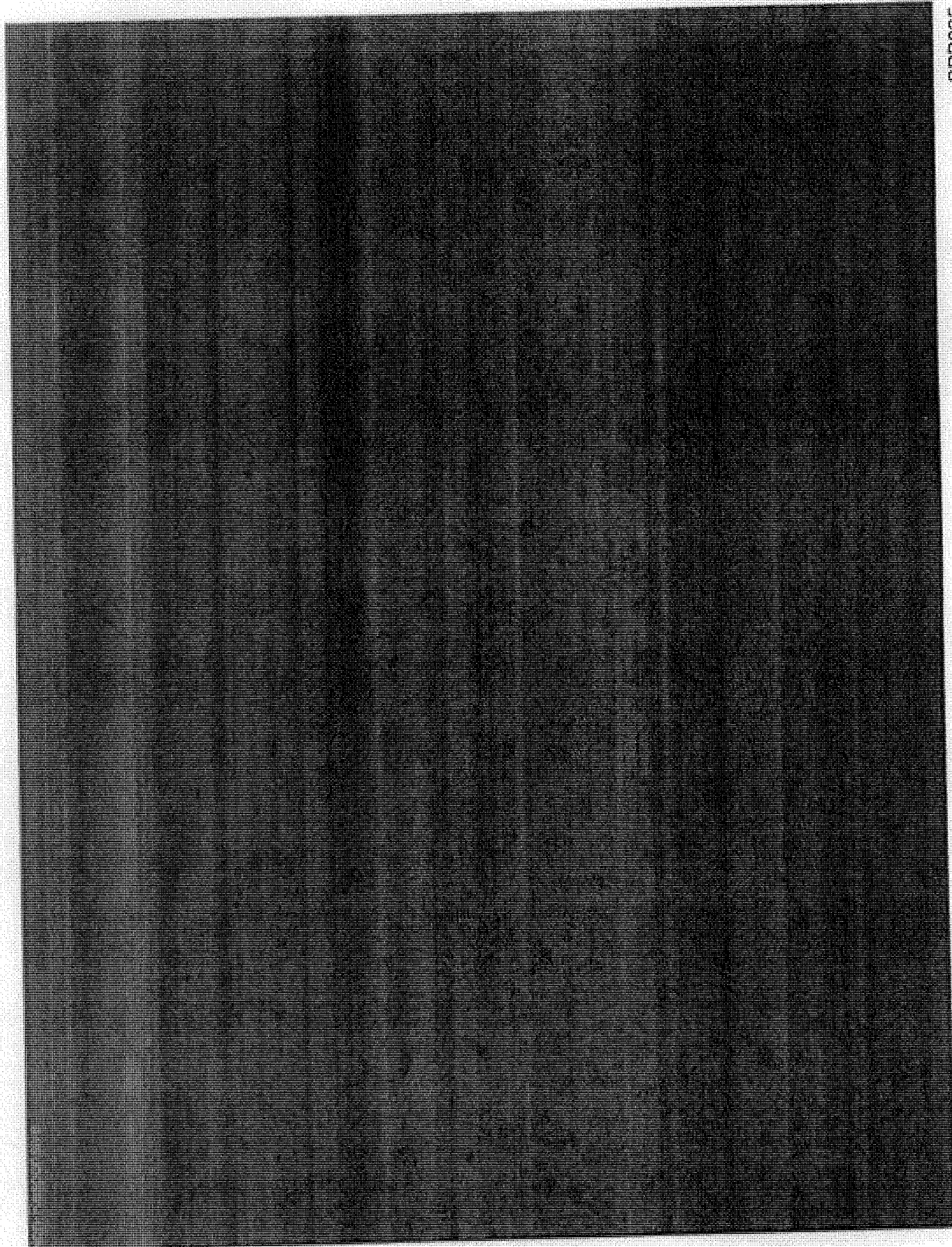






SPB024

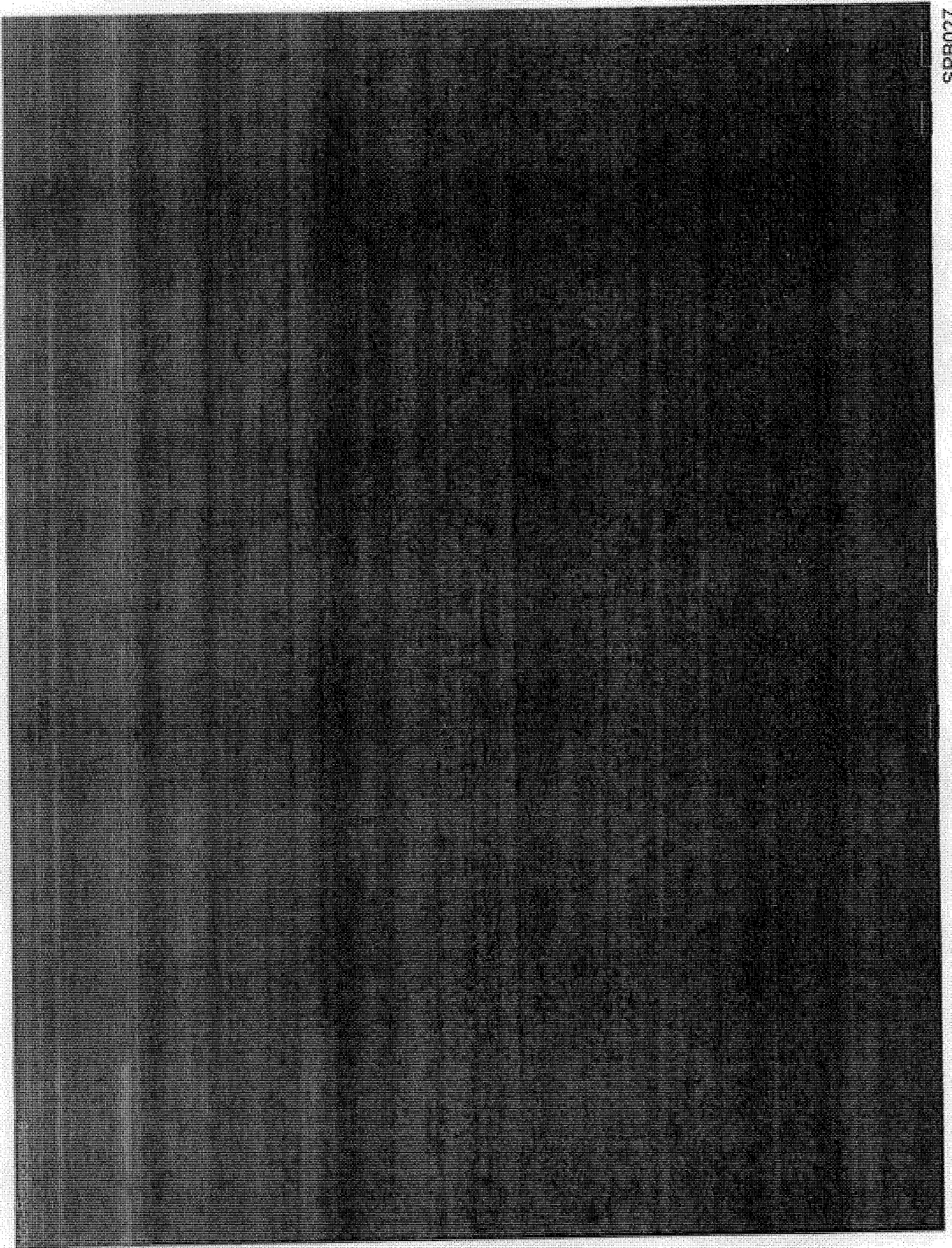
SPB025



SPB026

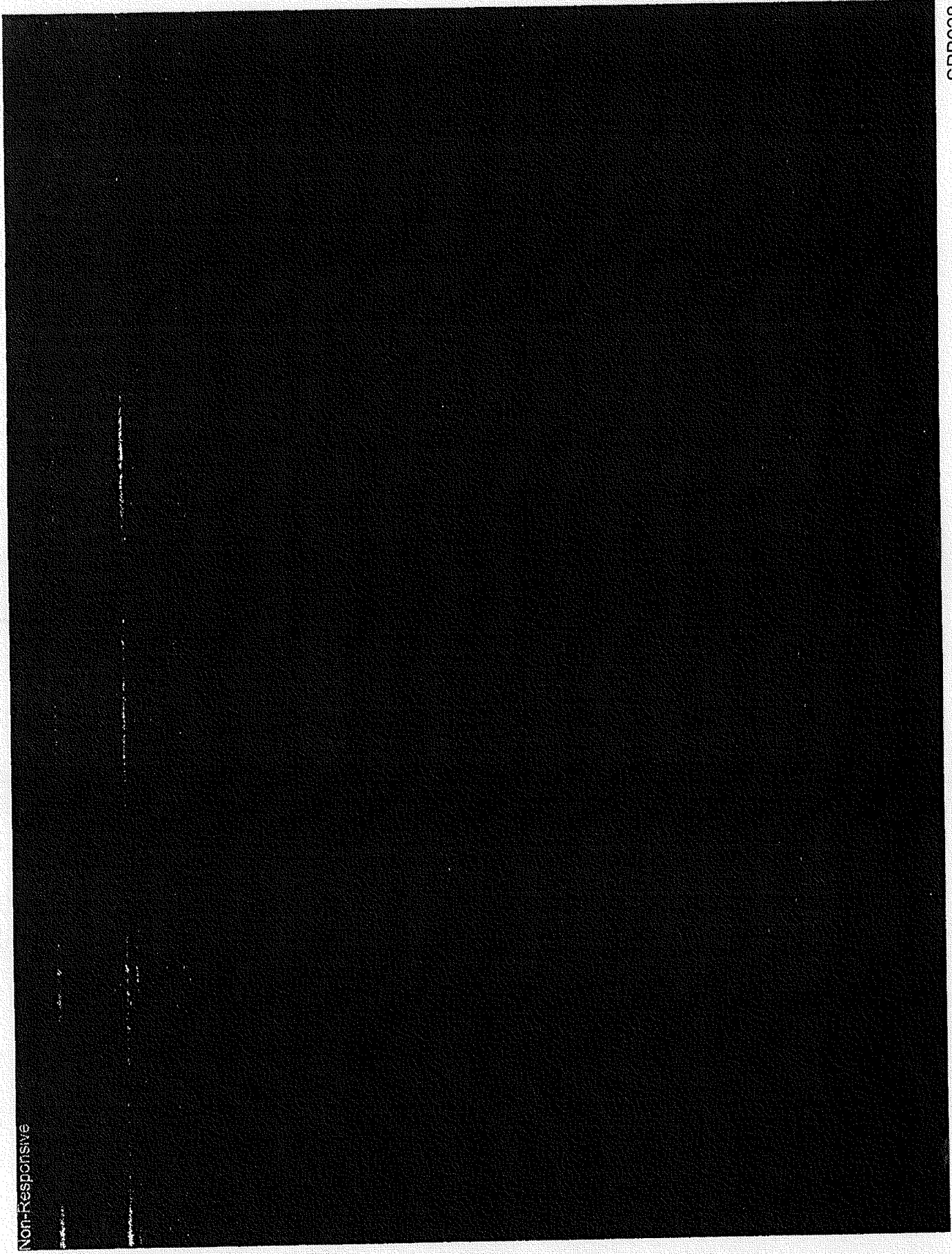
Non-Responsive

SPB027

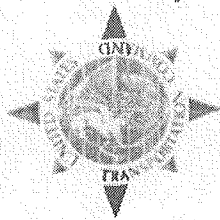


SPB028

Non-Responsive



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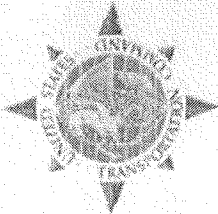
# Volga Dnepr Airlines LLC (VDA)

Together, we deliver.

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~~SECRET//NOFORN~~

# (U) Findings



[REDACTED]

[REDACTED]

(U//FOUO) December 2014, a VDA AN-124 shipped two Su-30MK2 attack aircraft to Danang, Vietnam on behalf of Russian-based arms export company, Rosobaronexport.

— (U//FOUO) *National Defense Authorization Act*, Section 1246. Prohibition on Use of Funds to Enter into Contracts or Other Agreements with Rosobaronexport.

— (U//FOUO) Listed by Department of State from 2008-2010 for *Iran, North Korea, and Syria Nonproliferation Act Sanctions*.

[REDACTED]

[REDACTED]

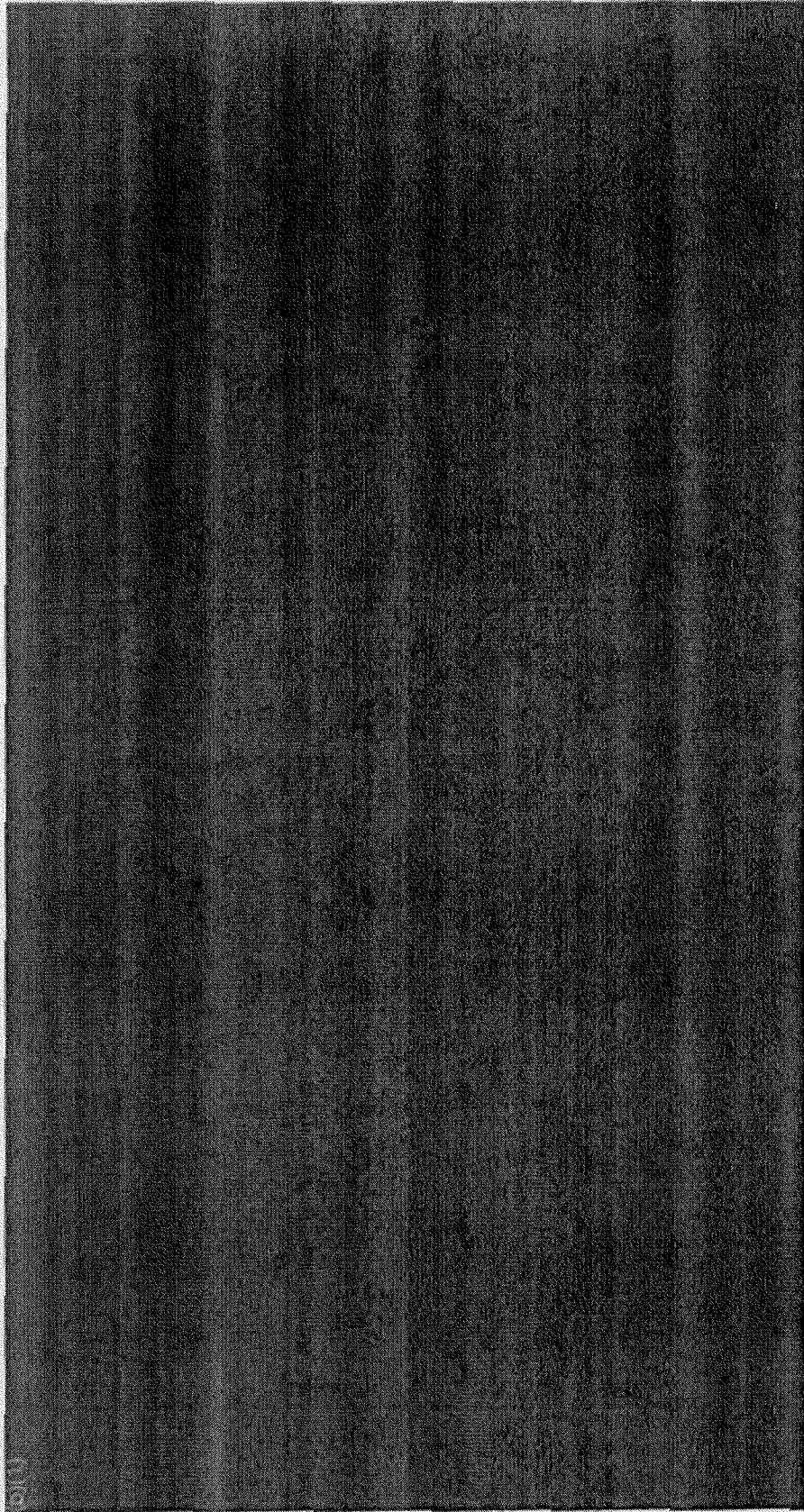
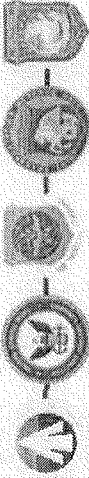
[REDACTED]

Together, we deliver.

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

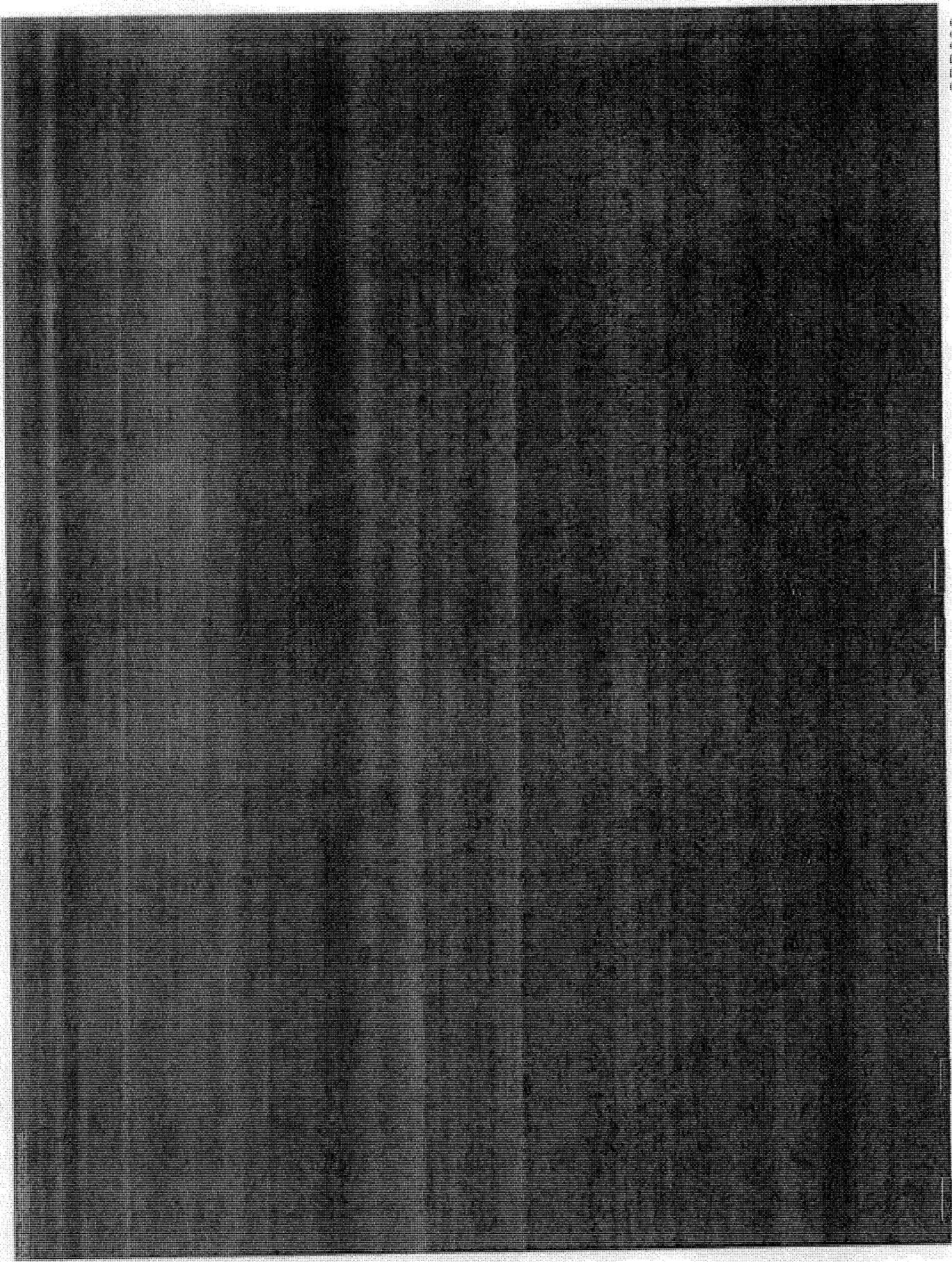
# (U) Link Analysis



Together, we deliver.

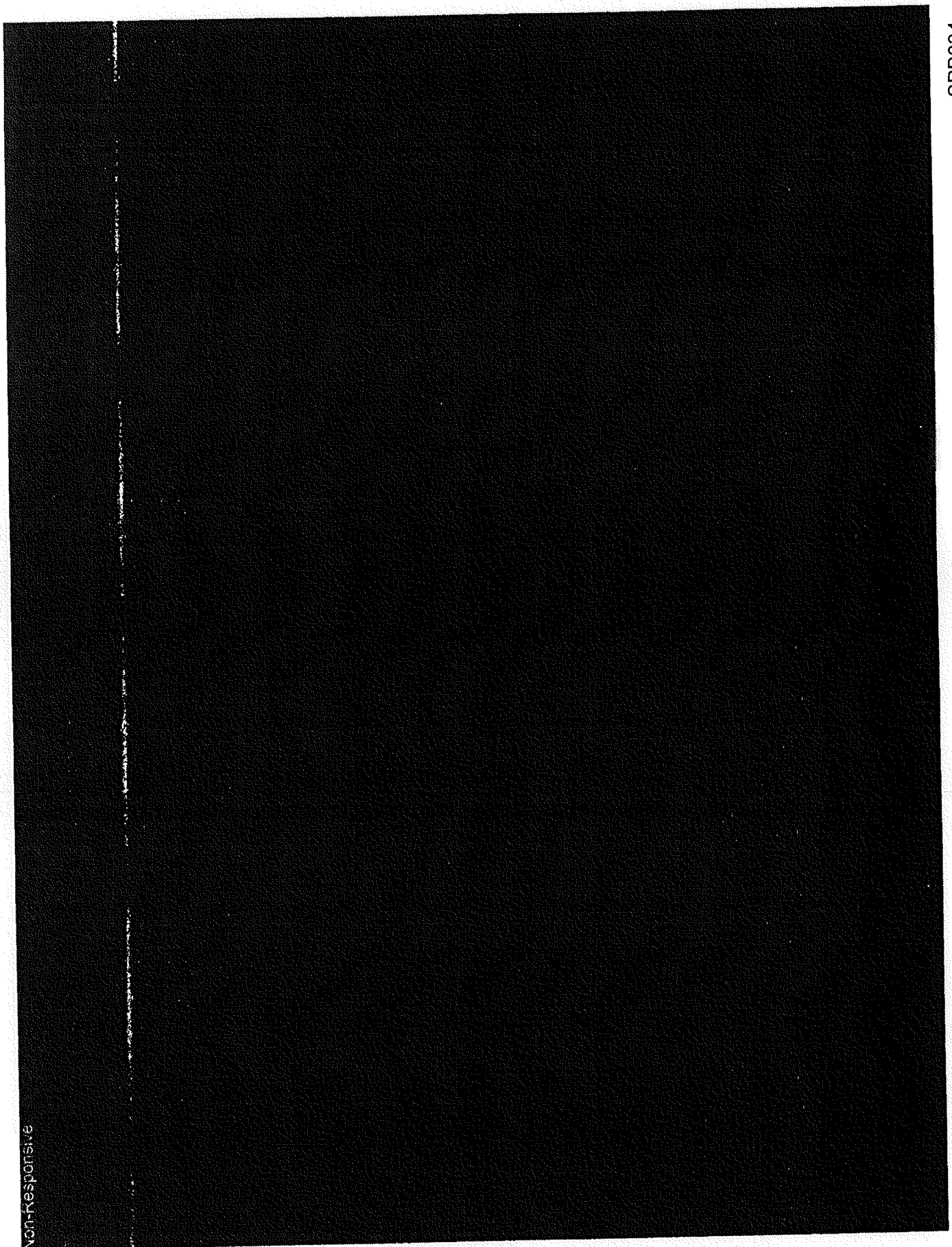
~~SECRET//NOFORN~~





SPB032

SPB033



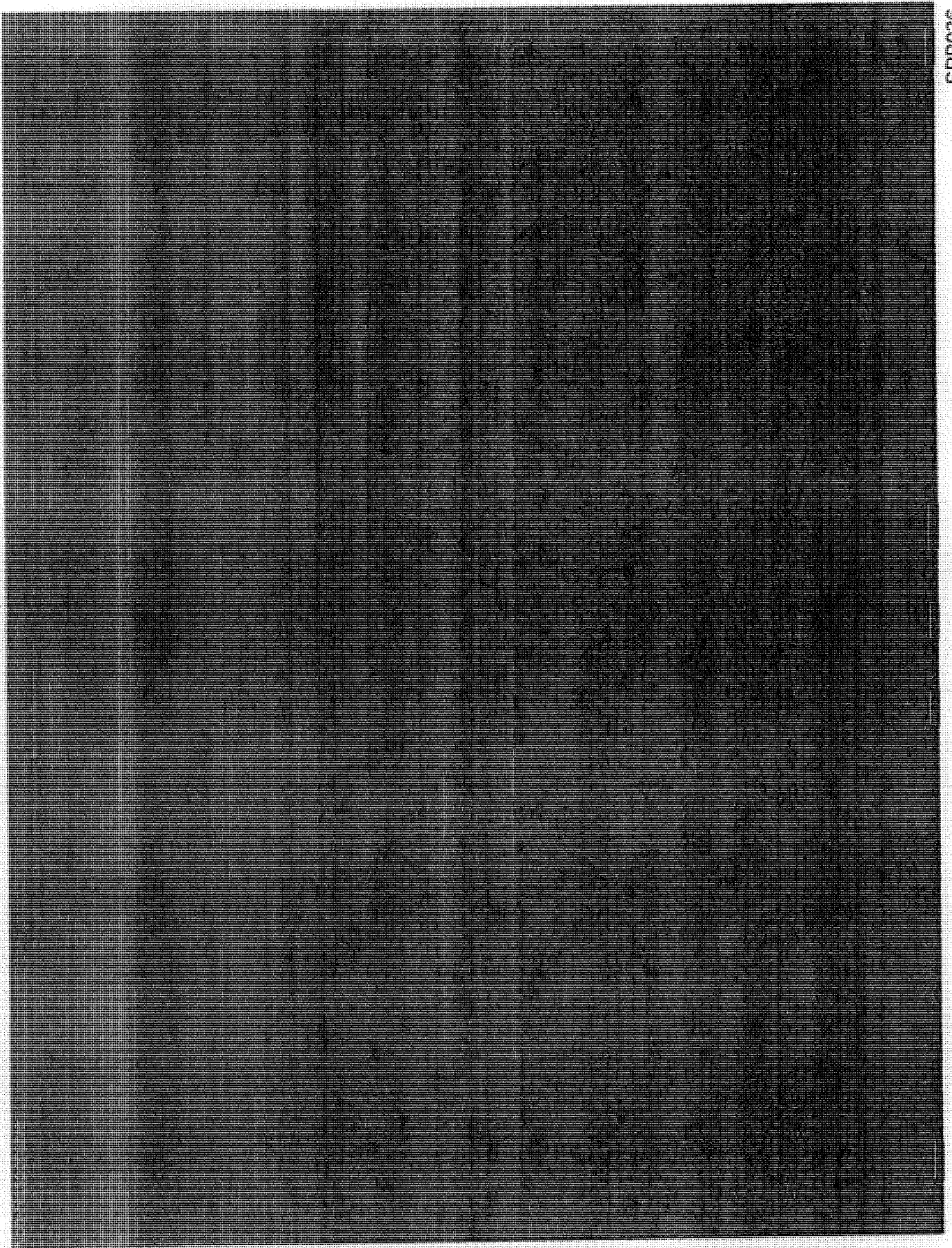
Non-Responsive

SPB034

Non-Responsive

SPB035

SPB036



SPB037

~~SECRET//NOFORN~~

	TRANSPORTATION INTELLIGENCE CENTER	13 February 2015
(U) Foreign Entity Vetting (FEV)		

**(U) Russia: Subcontractor Activities Counter to U.S. Interests**

[REDACTED]

**(U) SUPPORT TO ANTI-US REGIMES**

[REDACTED]

- > [REDACTED]
- > [REDACTED]
- > [REDACTED]

**(U) WEAPONS PROLIFERATION**

[REDACTED]

- > (U//FOUO) In December 2014, OSINT reporting indicated ROE transported two Su-30MK2 attack aircraft via VDA. The two aircraft are the first of a consignment of 12 ordered by the Vietnamese Air Force.<sup>1</sup>

**(U) VULNERABILITY TO EXPLOITATION**

[REDACTED]

*Classified by: DZ69243  
Derived from: Multiple Sources  
Declassify on: S0X1-HUM*

ICOD: 20150213

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

TRANSPORTATION INTELLIGENCE CENTER

18 February 2015

(U) Russia: Subcontractor Activities Counter to U.S. Interests

[REDACTED]

(U) [REDACTED]

(U) [REDACTED]

(U) [REDACTED]

(U) [REDACTED]

(U) Foreign Entity Vetting

(U//FOUO) USTRANSCOM procures international multi-modal transportation services to meet DoD's global deployment and distribution needs. Foreign carriers often execute these missions, primarily as subcontractors to U.S. primes. USTRANSCOM's CI and HUMINT Division, Foreign Entity Vetting team, review these companies to ensure the Command does not inadvertently fund foreign intelligence elements, insurgents, terrorists, militias, or criminal entities and to deny such organizations or persons access to U.S./Coalition personnel, facilities, and equipment.

(U) Source Summary and Confidence Level Statement

[REDACTED]

(U) Prepared by: JOC-TRANS J2-X Foreign Vendor Vetting Team, COM 618-220-6905; [REDACTED]  
#WCS7L\_USTCJ2-X\_Vetting\_Team@dod@ic.gov; USTC-JCJ2-X-Vetting-Team-Lst@ustrancom.smil.mil  
(U) Feedback: <http://go.ic.gov/oR54FUT>

TRANSPORTATION INTELLIGENCE CENTER

[2]

~~SECRET//NOFORN~~



~~SECRET//NOFORN~~

TRANSPORTATION INTELLIGENCE CENTER

18 February 2015

(U) Russia: Subcontractor Activities Counter to U.S. Interests

**(U) APPENDIX: Organization Chart****(U) Organization: Volga Dnepr Airlines Group**

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UNCLASSIFIED			
Company Name	Location	Industry	Ownership
Volga-Dnepr Group	Russia	Holding Company	
Volga-Dnepr Airlines	Russia	Aviation	100%
Volga-Dnepr UK Ltd	UK	Aviation	100%
Volga-Dnepr Unique Air Cargo	USA	Aviation	100%
Ruslan SALIS GmbH	Germany	Aviation	50%
Ruslan International Ltd	UK	Aviation	50%
Volga-Dnepr Gulf	UAE	Aviation	100%
Volga-Dnepr Ireland	Ireland	Aviation	100%
Volga-Dnepr China	China	Aviation	100%
Volga-Dnepr Technics Moscow	Russia	Aviation Maintenance	100%
Volga-Dnepr Technics Ulyanovsk	Russia	Aviation Maintenance	100%
Volga-Dnepr Gulf	UAE	Aviation Maintenance	100%
Volga-Dnepr Technics GmbH	Germany	Aviation Maintenance	100%
AirBridgeCargo	Russia	Scheduled Cargo Service	100%
AirBridgeCargo USA	USA	Scheduled Cargo Service	100%
AirBridgeCargo Japan	Japan	Scheduled Cargo Service	100%
AirBridgeCargo China	China	Scheduled Cargo Service	100%
AirBridgeCargo Russia	Russia	Scheduled Cargo Service	100%
AirBridgeCargo Europe	Netherlands Germany	Scheduled Cargo Service	100%
Volga-Dnepr Leasing Ltd	Russia	Aircraft refurbishment	100%
Volga-Trucks	Russia	Ground Cargo	100%
NIC Insurance Company CJSC	Russia	Insurance	100%
NIC-Life Ltd	Russia	Life Pension Insurance	100%
Volga-Dnepr International Training	Russia	Educational Services	100%

(U//FOUO) This chart shows the composition and ownership interests of Volga Dnepr Airlines.

TRANSPORTATION INTELLIGENCE CENTER

(3)

~~SECRET//NOFORN~~

SPB040

~~SECRET//NOFORN~~

TRANSPORTATION INTELLIGENCE CENTER

18 February 2015

(U) Russia: Subcontractor Activities Counter to U.S. Interests

(U) SOURCE ENDNOTES

[REDACTED]

2 (U) Washington Times; Russia's Main Weapons Exporter Gets a Pass in New Round of Sanctions, 29 APR 2014; Overall classification is U.

3 (U//FOUO) DOD; IIR 6 950 0153 1S; 290242Z DEC 14; News sources indicate two Su-30MK2 Aircraft are Delivered to Danang, Vietnam from Russia on 5 December 2014. Overall classification is U//FOUO.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4 (U) [www.foxnews.com/story/2007/05/03/global-air-carrier-suspended-in-un-procurement-investigation/](http://www.foxnews.com/story/2007/05/03/global-air-carrier-suspended-in-un-procurement-investigation/), published 03 May 2007; Fox News; Overall classifications is U: (U) Global Air Carrier Suspended in U.N. Procurement Investigation

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# Exhibit C



**UNITED STATES TRANSPORTATION COMMAND**

508 SCOTT DRIVE  
SCOTT AIR FORCE BASE, ILLINOIS 62225-5357

**DEC 15 2015**

Mr. Colon Miller  
9400 Grogan's Mill Road  
Suite 220  
The Woodlands TX 77380-3636

USTRANSCOM FOIA 15-0064-F

Dear Mr. Miller

This is the final response to your Freedom of Information Act (FOIA) request dated 11 May 2015, seeking records regarding information on the reason for release of a USTRANSCOM message on 9 February 2015, "(VDA) shall not be used under USTRANSCOM contracts and tenders." Your request has been processed in accordance with Department of Defense (DoD) Regulation 5400.7, DoD FOIA Program.

We are releasing four pages in full, 37 pages in part, and denying in full six pages of the records you requested. The redacted information is being withheld under the FOIA, Title 5, United States Code, sections:

552(b)(1), as authorized by Executive Order 13526, section 1.2(d), "the unauthorized disclosure of foreign government information," including section 1.4(a) and 1.4(c), "military plans, weapons systems, or operations" and "intelligence activities, intelligence sources or methods."

552(b)(5), "confidential communications between an attorney and his client relating to a legal matter for which the client has sought professional advice."

552(b)(6), personal data such as names and other personal identifying information as disclosure "would constitute a clearly unwarranted invasion of personal privacy."

If you are not satisfied with this action, you have the right to appeal to the appellate authority, the Director of Administration and Management, Office of the Secretary of Defense, by writing directly to OSD/Joint Staff Freedom of Information, ATTN: Appeals Office, 1155 Defense Pentagon, and Washington, D.C. 20301-1155. Your appeal must be postmarked within 60 calendar days of the date of this response. Alternatively, you may also submit your appeal electronically, within 60 calendar days of the date of this response, at the following link: <http://pal.whs.mil/palMain.aspx>. Your appeal should cite case number 15-0064-F, and be clearly marked "Freedom of Information Act Appeal."

There are no processing fees associated with this request. If additional assistance is required, please contact our FOIA Office at (618) 220-4104/4102 or email: [transcom.scott.tcja.mbx.foia@mail.mil](mailto:transcom.scott.tcja.mbx.foia@mail.mil).

Sincerely

A handwritten signature in black ink that reads "Michael J. Benjamin" with the date "15 Dec 15" written below it.

MICHAEL J. BENJAMIN  
Colonel, U.S. Army  
Initial Denial Authority