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Department of Justice

U.S. Attorney's Office

District of New Jersey

FOR IMMEDIATE RELEASE

Tuesday, July 19, 2016

Amtrak Supervisors Charged In Connection With Separate Overbilling Of Work Hours Schemes

NEWARK, N.J. – Two Amtrak supervisors were charged today with overbilling Amtrak a combined total of more than 800 overtime hours and more than 60 regular hours they claimed to be working when they were actually not present at Amtrak work sites, causing \$92,000 in losses to Amtrak, U.S. Attorney Paul J. Fishman announced.

Richard Vogel, 63, of Edison, New Jersey, and Donald Harper, Sr., 46, of Somerset, New Jersey, were arrested this morning by federal agents and charged in separate criminal complaints with defrauding Amtrak as a result of their fraudulent overbilling of work hours. Both are scheduled to appear this afternoon before U.S. Magistrate Judge Cathy L. Waldor in Newark federal court.

According to the criminal complaints:

Vogel, who has been employed by Amtrak since January 1977, currently supervises approximately 35 employees in work gangs on the Construction Signals side of the Communications and Signals Department of Amtrak's New York Division. Between November 2015 and June 2016, Vogel fraudulently billed Amtrak for 41 regular hours and 687.75 overtime hours when he was not actually present at Amtrak work sites, resulting in losses to Amtrak of more than \$71,000.

Harper, who has been employed by Amtrak since February 1990, currently supervises approximately 19 employees in a work gang on the Signals side of the Communications and Signals Department of Amtrak's New York Division. Harper fraudulently billed Amtrak for 27.75 regular hours and 192.25 overtime hours when he was not actually present at Amtrak work sites, between October 2014 and October 2015, resulting in losses to Amtrak of more than \$20,000.

Both defendants are facing maximum potential penalties of 10 years in prison each on the fraud offense and theft of funds offense, in addition to fines equal to the greatest of \$250,000 per count or twice the gain or loss resulting from the offenses.

U.S. Attorney Fishman credited special agents of Amtrak's Office of Inspector General, Office of Investigations, Philadelphia office, under the direction of Special Agent in Charge Robert J. Koons, with the investigation leading to today's charges.

The government is represented by Assistant U.S. Attorney Mala Ahuja Harker of the U.S. Attorney's Office Special Prosecutions Division.

The charge and allegations contained in the complaint are merely accusations, and the defendants are considered innocent unless and until proven guilty.

16-214

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Topic:

Public Corruption

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