



*United States Attorney
District of New Jersey*

FOR IMMEDIATE RELEASE
Jan. 13, 2017
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AMTRAK SUPERVISOR ADMITS OVERBILLING FRAUD

NEWARK, N.J. – An Amtrak supervisor today admitted fraudulently overbilling Amtrak overtime and regular hours that he claimed to be working when he was actually not present at Amtrak work sites, U.S. Attorney Paul J. Fishman announced.

Donald Harper Sr., 47, of Somerset, New Jersey, pleaded guilty before U.S. Magistrate Judge Michael A. Hammer in Newark federal court to an information charging him with one count of converting to his own use federal government funds.

According to documents filed in this case and statements made in court:

Harper, who has been employed by Amtrak since February 1990, supervised 19 employees in a work gang on the Signals side of the Communications and Signals Department of Amtrak's New York Division. During the summer of 2015, Amtrak employees under Harper's supervision performed work on a project known as the Positive Train Control installation, which was a project, mandated by Congress, to put in place advanced technological components that could automatically stop or slow a train in order to prevent accidents or derailments. Between October 2014 and October 2015, Harper fraudulently billed Amtrak for 27.75 regular hours and 192.25 overtime hours when he was not actually present at Amtrak work sites, resulting in a loss to Amtrak of over \$20,000.

The count to which Harper pleaded guilty carries a maximum potential penalty of one year in prison and a fine of \$250,000, or twice the gain or loss resulting from the offense, whichever is greater. The terms of the plea agreement require Harper to make full restitution of \$20,346. Sentencing is scheduled for March 20, 2017.

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 guilty plea.

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

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Defense counsel: Linda Foster Esq., Assistant Federal Public Defender