



Electronics Engineer Admits Lying on U.S. Army Contract Bid to Make Battery for Artillery Weapon Guidance System

FOR IMMEDIATE RELEASE

September 9, 2014

NEWARK, N.J. – An electronics engineer for the U.S. Army pleaded guilty today to making false statements in an attempt to obtain a government military contract to manufacture a portable power supply for U.S. Army use, U.S. Attorney Paul J. Fishman announced.

Modesto Torres, 49, of Dover, New Jersey, surrendered today to federal law enforcement and pleaded guilty to an information charging him with making false statements to the U.S. Department of Defense. He entered his guilty plea before U.S. District Court Judge William J. Martini in Newark federal court and was released on \$25,000 unsecured bond.

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

In June 2012, Torres, an electronics engineer for the U.S. Army at Picatinny Arsenal, sought to bid – through a company referred to in court documents as “Company A” – on a contract with the U.S. Army. The winner of the contract would manufacture the Artillery Portable Universal Battery Supply, or “APUBS,” a battery that powered the guidance system on the 105 mm Howitzer, a type of artillery weapon used by the U.S. military.

Torres prepared the majority of the content of the proposal submitted to a U.S. Army bidding officer. During his guilty plea, Torres admitted that he included fabricated biographies of personnel not employed by the company, as well as false representations regarding the company’s supplier relationships with manufacturers based in Puerto Rico and China when no such relationships existed.

The charge of false statements carries a maximum penalty of five years in prison and a \$250,000 fine. Sentencing is currently scheduled for Jan. 14, 2015.

U.S. Attorney Fishman credited special agents with the U.S. Department of Defense, Defense Criminal Investigative Service, under the direction of Special Agent in Charge Craig Rupert; and the U.S. Army, Major Procurement Fraud Unit, Criminal Investigation Command, under the direction of Special Agent in Charge Larry Scott Moreland, with the investigation leading to today's guilty plea.

The government is represented by Assistant U.S. Attorney Joyce M. Malliet of the U.S. Attorney's Office National Security Unit in Newark.

14-312

Defense counsel: Joel M. Bacher Esq., Wayne, N.J.