

# Southern District of Florida

## Press Release

### FORMER ARMY CORPS OF ENGINEERS EMPLOYEE SENTENCED

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June 18, 2009

#### FOR IMMEDIATE RELEASE

Jeffrey H. Sloman, Acting United States Attorney for the Southern District of Florida, Maureen O'Mara, Special Agent in Charge for Criminal Investigation Division, U. S. Environmental Protection Agency, Amie Tanchak, Resident Agent in Charge, Department of Defense Criminal Investigative Service (DCIS), Southeast Field Office, Ferdinand Vazquez, Resident Agent in Charge, U.S. Army Criminal Investigation Command, Major Procurement Fraud Unit, Florida Fraud Resident Agency, and Anthony V. Mangione, Special Agent in Charge, U. S. Immigration & Customs Enforcement, Office of Investigations, announced that **Gregory C. Wagner**, 59, of Miami, was sentenced yesterday in federal court in Miami, on a charge of misprision of a felony committed in May 2005, in violation of Title 18, United States Code, Section 4.

Sentence was imposed by U.S. District Judge Alan S. Gold, who had previously accepted Wagner's guilty plea in the matter. Judge Gold sentenced Wagner to a five years of probation, with a one-year period of home confinement, with electronic monitoring. Wagner must also perform 250 hours of community service.

According to the charges, pleadings, and in-court statements, Wagner was a career employee of the U.S. Army Corps of Engineers (ACOE), assigned to the Jacksonville Area Engineer's Office. He was a Construction Representative and Construction Inspection Technician administering contracts in South Florida awarded by ACOE. His duties involved direct supervision and oversight of ACOE projects related to the Comprehensive Everglades Restoration Program (CERP), which is the multi-agency effort to restore and revitalize the Everglades.

As part of its participation in the CERP restoration effort, ACOE was involved in the acquisition of land bordering Everglades National Park for conversion from their present uses, including farmland, into restored wetlands and flow-ways. Wagner admitted that bribes of money were given, offered, and promised to him with the intention of inducing him to act in violation of his duties regarding the proper administration of the contracts and lands he supervised and managed.

Part of the government's evidence was a video-taped encounter in June 2008 between Wagner and a cooperating source, during which Wagner accepted \$11,000 in cash in payment for having allowed private parties to farm on ACOE acquired property, without legal authority and without disclosing those arrangements to his superiors. The payment represented only a portion of the intended deal, which involved 149 acres of land, for which Wagner was to receive \$200 per acre in bribe money, and a percentage of the profit once the crops were harvested.

Acting U.S. Attorney Jeffrey H. Sloman stated, "The Everglades restoration program is a much needed effort to revitalize this unique and dwindling habitat. We will not permit individuals to risk the success of the program by selling their offices and shunning their responsibilities to line their own pockets."

"The Everglades is one of the nation's most important natural resources. The work being undertaken to restore and revitalize it cannot be compromised by someone who violates the public trust for money," said Maureen O'Mara, the Special Agent-in-Charge of EPA's criminal enforcement office in Atlanta. "Today's sentence should send a clear warning that if you put illegal monetary gain ahead of obeying the law, you will be prosecuted."

Resident Agent in Charge Amie R. Tanchak, of DCIS, added, "The DCIS will aggressively investigate and seek the prosecution of any employee who violates the public trust by abusing their position for financial gain. The DCIS will continue to play a vital role in the ongoing efforts to protect the Department of Defense from internal corruption."

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Resident Agent in Charge Ferdinand Vazquez, U.S. CID, stated, "These are crucial times for all fraud agencies to work together and aggressively address any violations involving corruption of public officials and contractors. The Army CID, Major Procurement Fraud Unit is fully committed to pursue any and all violations of this nature in an effort to maintain the integrity of the U.S. Army procurement process."

"ICE plays an integral role to identify, investigate and arrest those that have abused their positions of public trust and misuse that trust for their own personal gain and enrichment," said Anthony V. Mangione, special agent in charge of ICE's Office of Investigations in Miami. "Unfortunately, Mr. Wagner, who had a high level government career position, violated the public's trust by using tax payer dollars for his own personal gain. ICE will continue to pursue others to the full extent of the law that misuse their public positions."

Mr. Sloman commended the coordinated investigative efforts of the Special Agents of the Environmental Protection Agency, the Department of Defense Criminal Investigative Service, the Department of the Army Criminal Investigation Command, Immigration & Customs Enforcement, and officers of Miami-Dade Police Department Environmental Investigations Unit who brought the investigation leading to the conviction, and the Army Corps of Engineers, Jacksonville Area Engineer's Office for their assistance in the matter. This case was prosecuted by Assistant U.S. Attorney Thomas Watts-FitzGerald.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

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