

practices across the Department of Defense (DoD), to include Special Operations Forces. HENRY then facilitated the migration of those best practices/systems to the conventional or general-purpose forces. His position was not limited to advising Government personnel, he also advised vendors on what equipment was needed, how best to integrate the equipment, and the number of pieces of equipment required to meet the operational requirements. His duties included picking between competing equipment/vendors that could be used to satisfy the general-purpose forces need, including making recommendations to Senior Service Headquarters, Service Program Executive Officers, Unit Commanders, and others. As part of his duties, he also provided advice, consultations, and demonstrations of capabilities, to include information on vendor supplied equipment.

3. JSJ6 is located in Suffolk, Virginia. Suffolk, Virginia is within the Eastern District of Virginia.

4. Company A is a DoD contractor that sells a software called TRAX. TRAX is short for Tactical Radio Application eXtension. It is software that hosts, translates, and routes mission-critical data to and from disparate networks. It gives military personnel the ability to share data across platforms and branches of service.

5. As part of his job with JSJ6, HENRY promoted and recommended TRAX as part of his job with JSJ6.

6. On or about November 13, 2018, HENRY incorporated Industrial Communications Group, LLC (ICG) in Virginia Beach, Virginia, as a consulting firm designed to provide communication solutions to include the oil and gas industry.

7. In or about July 2019, Company A hired HENRY as a consultant for commercial entities such as U.S. police, border protection, private security sectors, and the oil and gas industry.

8. Between in or about September 2019 to July 2020 Company A, paid HENRY approximately \$96,336 to HENRY through ICG. These payments occurred on or about the dates and in the amounts listed below:

Date	Amount
September 5, 2019	\$5,000.00
September 30, 2019	\$5,000.00
November 5, 2019	\$5,000.00
December 3, 2019	\$5,000.00
January 6, 2020	\$12,544.25
February 27, 2020	\$10,750.00
March 19, 2020	\$7,976.62
March 31, 2020	\$7,500.00
April 7, 2020	\$4,309.62
April 13, 2020	\$1,549.30
April 14, 2020	\$7,500.00
June 2, 2020	\$7,500.00
June 30, 2020	\$7,708.99
July 9, 2020	\$1,527.93
July 30, 2020	\$7,500.00

9. Following the formal establishment of the consultancy, HENRY communicated to individuals at Company A that he had an idea for a new cross domain solution later called "Armored Scorpion" that combined a product from Company A with a product from Company T.

10. Company A needed a government sponsor for “Armored Scorpion” and the JSJ6 was that sponsor. That sponsorship included setting up demonstrations and communicating with the National Security Administration (NSA) regarding a necessary certification.

11. Following this proposal, HENRY coordinated meetings with government officials to find a government sponsor for Armored Scorpion.

12. HENRY also assisted Company A in obtaining testing certifications for Armored Scorpion and demonstrating Armored Scorpion at military exercises.

13. HENRY also presented Armored Scorpion to other government officials to advocate for Armored Scorpion, to assist in testing it, and to assist in asking the NSA to certify it.

14. HENRY and Company A also coordinated and pursued Company A obtaining a 5-year indefinite quantity indefinite delivery (“IDIQ”) contact with the General Services Administration (“GSA”) (hereinafter referred to as the “GSA IDIQ”). HENRY’s command the JSJ6 sponsored that IDIQ contract with the GSA.

COUNT ONE

(Acts Affecting a Personal Financial Interest)

15. The allegations contained in paragraphs 1 through 14 of the General Allegations section of the Indictment are realleged and incorporated as if set forth fully herein.

16. From in or about July 2019, to in or about June 2020, in the Eastern District of Virginia, and elsewhere, the defendant, MICHAEL HENRY, being an employee of the Department of Defense that served as the technical director of the Joint Staff J6 Joint Tactical Integration Element, knowingly and willfully did participate personally and substantially as a Government officer and employee through decision, approval, recommendation, the rendering of advice, investigation, and otherwise, in an application, contract, claim, and other matters, in which the defendant had a financial interest. (In violation of Title 18, United States Code, Section 208(a).)

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.

A TRUE BILL:

REDACTED COPY

FOREPERSON

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