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For Immediate Release

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TW METALS SETTLES FALSE CLAIMS ACT VIOLATIONS

PHILADELPHIA - United States Attorney Pat Meehan today announced the government has reached a settlement with TW Metals, Inc., headquartered in Exton, PA, to resolve alleged violations of the civil False Claims Act. TW Metals will pay the United States \$215,000 to resolve allegations that it purchased non-domestic metals in violation of certain domestic preferences statutes, including the Berry Amendment.

Congress has legislated that suppliers use metals purchased only from domestic sources when supplying Department of Defense entities. This legislation is popularly known as the Berry Amendment. TW Metals had several contracts with the Defense Supply Center Philadelphia ("DSCP") from 2001-2005, each of which incorporated the provisions of the Berry Amendment. TW Metals became aware that it had made shipments to DSCP of foreign metals that did not conform to these statutory and contractual provisions. TW Metals disclosed these non-compliant shipments in January 2005 and entered the Department of Defense's Voluntary Disclosure Program. The government investigated TW Metals' disclosure. The company also reviewed its own direct and indirect contracts with the government and eventually disclosed additional violations of the Berry Amendment.

As a result of this investigation and TW Metals' voluntary disclosure, the company instituted a series of compliance measures, including audits and training, to ensure future compliance with all policies and procedures relating to domestic preference statutes.

This case was handled by Assistant United States Attorney Colin Cherico and Special Agent John Davis of the Defense Criminal Investigative Service with assistance from the Defense Contract Audit Agency.

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