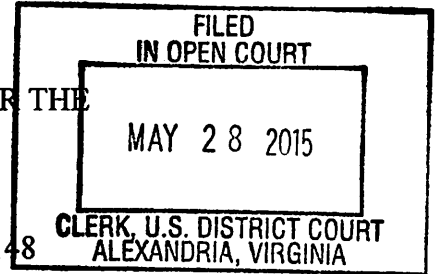


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division



UNITED STATES OF AMERICA

v.

ROBERT LEE FOSTER,  
Defendant.

No. 1:15cr148

Counts 1-9: 18 U.S.C. § 1343  
(Wire Fraud)

Forfeiture Notice

**Indictment**

May 2015 Term – at Alexandria, Virginia

THE GRAND JURY CHARGES THAT:

**GENERAL ALLEGATIONS**

At all times relevant to this Indictment, unless otherwise stated:

1. From at least in or around 2008 through in or around January 2015, Defendant ROBERT LEE FOSTER (“FOSTER”) maintained a residence in Falls Church, Virginia, within the Eastern District of Virginia.
2. FOSTER was employed with the United States Senate Committee on Commerce, Science, and Transportation (“the Senate Committee”) from in or around 1969 until he retired in or around January 2010.
3. FOSTER maintained a checking and savings account with the Senate Federal Credit Union (“SFCU”).
4. The SFCU Operation Center is located in Alexandria, Virginia, within the Eastern District of Virginia. Funds that are wired to an individual’s SFCU account arrive at this Operation Center.
5. Person A, an individual whose identity is known to the grand jury, is a resident of

Oxnard, California. At the time Person A became acquainted with FOSTER, she was approximately 54 years old, and her husband of approximately 25 years had recently passed away.

6. Person B, an individual whose identity is known to the grand jury, is a resident of Denton, Texas. At the time Person B became acquainted with FOSTER, she was approximately 70 years old. Prior to that, in or around 2003, Person B suffered a stroke and has a speech impediment as a result.

7. Person C, an individual whose identity is known to the grand jury, is a resident of Washington, District of Columbia. At the time Person C became regularly acquainted with FOSTER, she was approximately 75 years old and was taking care of a partner who was suffering from dementia.

**COUNTS 1-9**  
**(Wire Fraud)**

THE GRAND JURY FURTHER CHARGES THAT:

8. The allegations contained in paragraphs 1 through 7 of this Indictment are realleged as if fully set forth herein.

9. From in or around 2008, and continuing through May 2015, in the Eastern District of Virginia and elsewhere, the defendant

**ROBERT LEE FOSTER**

Devised, and intended to devise, a scheme and artifice to defraud and fraudulently obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, from Person A, Person B, Person C, and others known and unknown to the grand jury.

**Purpose of the Scheme**

10. The purpose of FOSTER's scheme and artifice to defraud was to obtain money and property through fraudulent representations.

**Manner and Means**

The manner and means by which FOSTER carried out the scheme and artifice to defraud included, but were not limited to, the following:

11. FOSTER chose as targets of his scheme women who were vulnerable due to their personal circumstances, including their age, health, and marital and family situations.

12. FOSTER used his status as a current and retired staff member of the United States Senate to gain the trust and confidence of Person A, Person B, and Person C.

13. FOSTER made false and fraudulent representations to Person A, Person B, and Person C in order to get them to send him money, which they did. Among these false and

fraudulent representations were:

- a. That FOSTER needed to borrow money to pay a debt so that he could retire, when, in fact, this was false.
- b. That FOSTER needed to borrow money to pay for litigation costs, when, in fact, he had no such costs.
- c. That FOSTER needed to borrow money for business expenses, when, in fact, those business expenses did not exist.
- d. That FOSTER needed to borrow money for foreign travel, when, in fact, there was no foreign travel.
- e. That FOSTER needed to borrow money because his credit card had been “hacked,” when, in fact, it had not been “hacked.”

14. FOSTER spent the money he obtained from his victims by means of these false and fraudulent representations for his own personal use and benefit.

15. FOSTER also made false and fraudulent representations to Person A, Person B, and Person C and used other devices in order to reassure them that he would repay them, stop them from demanding repayment, and allow him to obtain additional funds. Among these false and fraudulent representations and devices were:

- a. FOSTER claiming that he would have access to large sums of money in the near future.
- b. FOSTER signing and promising to sign agreements to formalize the purported loans.
- c. FOSTER using money from one victim to make partial repayments to another victim.

**Use of Interstate Wires to Execute the Scheme**

16. On or about the dates listed below, in the Eastern District of Virginia and elsewhere, FOSTER, for the purpose of executing the above-described scheme and artifice to defraud and to fraudulently obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowingly transmitted and caused to be transmitted by means of wires in interstate commerce, the following writings, signs, and signals:

<b>Count</b>	<b>Date</b>	<b>Description</b>	<b>Amount</b>
<b>1</b>	6/17/2010	Wire communication from outside the Commonwealth of Virginia to a location within the Eastern District of Virginia to cause the transfer of funds from Person B to FOSTER.	\$5,300
<b>2</b>	11/3/2010	Wire communication from outside the Commonwealth of Virginia to a location within the Eastern District of Virginia to cause the transfer of funds from Person B to FOSTER.	\$4,000
<b>3</b>	7/25/2011	Wire communication from a location within the Eastern District of Virginia to a location outside the Commonwealth of Virginia to cause the transfer of funds from FOSTER to Person A.	\$150
<b>4</b>	8/22/2011	Wire communication from a location within the Eastern District of Virginia to a location outside the Commonwealth of Virginia to cause the transfer of funds from FOSTER to Person A.	\$150
<b>5</b>	10/14/2011	Wire communication from a location within the Eastern District of Virginia to a location outside the Commonwealth of Virginia to cause the transfer of funds from FOSTER to Person A.	\$250
<b>6</b>	10/26/2012	Wire communication from outside the Commonwealth of Virginia to a location within the Eastern District of Virginia to cause the transfer of funds from Person B to FOSTER.	\$2,400

<b>7</b>	<b>4/14/2014</b>	Wire communication from a location within the Eastern District of Virginia to a location outside the Commonwealth of Virginia to cause the transfer of funds from Person C to FOSTER.	<b>\$2,000</b>
<b>8</b>	<b>4/29/2014</b>	Wire communication from a location within the Eastern District of Virginia to a location outside the Commonwealth of Virginia to cause the transfer of funds from Person C to FOSTER.	<b>\$2,000</b>
<b>9</b>	<b>5/5/2014</b>	Wire communication from a location within the Eastern District of Virginia to a location outside the Commonwealth of Virginia to cause the transfer of funds from Person C to FOSTER.	<b>\$3,000</b>

(All in violation of Title 18, United States Code, Section 1343.)

**Forfeiture Notice**

Pursuant to Federal Rule of Criminal Procedure 32.2(a), defendant ROBERT LEE FOSTER is hereby notified that, if convicted of the wire fraud offenses alleged in Counts One through Nine above, he shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), the following property:

- (a) A sum of money not less than \$500,000 in U.S. currency, representing the amount of proceeds obtained as a result of the violation of Title 18, United States Code, Section 1343, as described in Counts One through Nine;
- (b) Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), defendant ROBERT LEE FOSTER shall forfeit substitute property, up to the value of the amount described in subparagraph (a), if, by any act or omission of defendant ROBERT LEE FOSTER, the property described in paragraph (a), or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred, sold to, or deposited with a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been comingled with other property which cannot be divided without difficulty.

(All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code Section 2461(c).)

5/27/2015  
Date

**A True Bill**

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

\_\_\_\_\_  
Foreperson

**DANA J. BOENTE**  
United States Attorney

By: Jamar K. Walker  
Jamar K. Walker  
Assistant United States Attorney

**RAYMOND HULSER**  
Chief, Public Integrity Section  
Criminal Division, U.S. Department of Justice

By: Kevin Driscoll  
Kevin Driscoll  
Peter N. Halpern  
Trial Attorneys, Public Integrity Section