

ATTACHMENT A

(BRIBERY OF PUBLIC OFFICIAL)

From at least as early as on or about September 22, 2017 through in or about mid-March 2018, in the District of New Jersey and elsewhere, defendant

LUIS SANTOS

did, directly and indirectly, corruptly give, offer, and promise things of value, namely, at least approximately \$2,500 in United States currency, to an employee of the U.S. Department of State with intent to: (A) influence official acts; (B) influence such public official to commit and aid in committing, and to collude in, and allow, a fraud, and make an opportunity for the commission of a fraud, on the United States; and (C) to induce such public official to do and omit to do acts in violation of the lawful duty of such official.

In violation of Title 18, Unites States Code, Sections 201(b)(1)(A), (B), and (C), and Section 2.

ATTACHMENT B

I, Lindsey E. Dickerson, a Special Agent with the United States Department of State, Diplomatic Security Service, have knowledge of the following facts based upon both my investigation, a review of reports, and discussions with other law enforcement personnel and others. Because this Complaint is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause. Unless specifically indicated, all conversations and statements described below are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Background/Relevant Individuals

1. At all relevant times:
 - A. Luis Santos (“defendant Santos”) was a New Jersey resident.
 - B. The United States Department of State (“State Department”) was a federal executive department that, among other things, represented the United States in international affairs and foreign policy issues.
 - C. The Bureau of Consular Affairs was a bureau within the State Department that, among other functions, issued visas to foreign citizens who sought entry to the United States.
 - D. Generally, citizens of foreign countries who sought entry to the United States (“Applicants”), and who did not qualify for a visa waiver, could only apply for entry to the United States with a visa.
 - E. Non-immigrant visas (“NIVs”) were issued to Applicants who sought entry to the United States for a short duration, *i.e.*, tourism or pleasure (visa category B-1), business (visa category B-2), or a combination of the two (B-1/B-2).
 - F. The application process for an NIV had several steps and varied depending on the country from where the Applicant applied. The application process for Applicants from the Dominican Republic included, among other things, filling out an online NIV Application, Form DS-160, paying an application fee, and appearing for an interview at the U.S. Embassy in Santo Domingo.
 - G. U.S. Consular Adjudicators from the Bureau of Consular Affairs conducted interviews and adjudicated Applicants’ supporting documentation to determine if Applicants met the requirements for entry into the United States with an NIV, and had the authority to approve NIVs.

H. If an NIV application was approved, a visa stamp, otherwise known as a visa foil, was affixed to the Applicant's passport. The visa foil included biographic information as well as type of visa issued.

I. An NIV allowed the foreigner to travel to a port of entry, airport or land border crossing of the United States, and request permission of United States Department of Homeland Security ("DHS"), Customs and Border Protection ("CBP") inspector to enter the United States. Having an NIV did not guarantee entry to the United States, but did indicate that a consular officer at a U.S. Embassy or Consulate abroad had determined that the foreigner was eligible to seek entry for the purpose set forth in the visa foil.

J. The Diplomatic Security Service ("DSS") was the law enforcement and security arm of the State Department.

K. There was a U.S Consular Adjudicator who later agreed to cooperate with DSS (the "CW").

The Corrupt and Fraudulent Scheme

2. According to the CW, the CW previously met defendant Santos in and about 2013. In or about April 2017, the CW began working for the State Department as a U.S. Consular Adjudicator in the Dominican Republic.

3. As early as on or about September 22, 2017, defendant Santos contacted the CW over a messaging application, known as WhatsApp,¹ and solicited the CW to participate in a bribery and fraud scheme, whereby defendant Santos would pay money to the CW in exchange for the CW favorably handling and approving fraudulent NIVs. Content of some of the messages that defendant SANTOS and the CW exchanged over WhatsApp on or about September 22, 2017 appears below:²

TO	FROM	DATE (ON OR ABOUT)/ APPROXIMATE TIME	CONTENT
Defendant Santos	CW	9/22/2017 at 6:59 PM ³	What I'm proposing, I've done it before. And, it's good money. But we need another phone, not this one, you get it.

¹ WhatsApp is an instant messaging application that allows users to send and receive, among other things, text messages, voice calls, and documents. The application runs through mobile devices, but also may be accessed via computer.

² All messages on WhatsApp were in Spanish, and have been translated to English for purposes of this complaint.

³ All times are in Atlantic Standard Time Zone.

TO	FROM	DATE (ON OR ABOUT)/ APPROXIMATE TIME	CONTENT
CW	Defendant Santos	9/22/2017 at 6:59 PM	This is my personal number. But I also have my wife's phone – with her personal number.
Defendant Santos	CW	9/22/2017 at 7:12 PM	Okay. This is how it works. A buddy of mine solicits orders. I take the money you do your part. If you don't deliver, there's no payment for the orders. For each order, the amount will be 3000, 1200 for you, 500 for the guy who finds them, and 1,000 for me. When the guy has an appointment, I'll send you photo, name and day. You take care of the rest. Your money is deposited in an account that's not connected to you; that's for safety reasons. The clients will never know who you are even though you're the one dealing with them. To protect you.
Defendant Santos	CW	9/22/2017 at 7:13 PM	We'll do only one a week to always keep a low profile.
Defendant Santos	CW	9/22/2017 at 7:24 PM	That's a lot of information for you 😊😊😊😊
CW	Defendant Santos	9/22/2017 at 7:25 PM	Haha, and it works?
Defendant Santos	CW	9/22/2017 at 7:28 PM	How do you think I got here and saved up so much money? Working as a finder.

In these messages, Santos was soliciting the CW to fraudulently handle and approve NIVs in exchange for cash, specifically, \$1,200 from defendant Santos to the CW for each approved NIV. Defendant Santos also was suggesting certain measures to conceal the bribery and fraud scheme, including the use of another phone, the use of a bank account not connected to the CW, and only issuing one fraudulent NIV per week.

4. On or about September 22, 2017, the CW contacted the CW's supervisor at the State Department, advised the CW's supervisor of defendant Santos's solicitation, and showed the supervisor the above-referenced WhatsApp messages. The CW and supervisor then reported

the incident to DSS, and from that point forward, all further communications from the CW to defendant Santos were at the direction of DSS.

5. Between on or about September 27, 2017 and in or about March 9, 2018, defendant Santos sent WhatsApp messages to the CW about the bribery and visa scheme. Content of some of those messages is contained herein. For instance, on or about January 2, 2018, at approximately 7:59 PM, defendant Santos sent a WhatsApp message to the CW, explaining that, based on some recent competition, *i.e.*, “someone on the inside who’s doing it too cheap,” they would need to reduce their asking price to move forward with the scheme. According to defendant Santos’s WhatsApp messages, under the new pricing arrangement, defendant Santos would give the CW \$500 per fraudulent NIV. However, defendant Santos, in a WhatsApp message dated January 2, 2018, stated that the CW could expect to receive about three applicants per week, for which defendant Santos would give the CW approximately \$1,500 per week.

6. On or about January 7, 2018, defendant Santos sent a WhatsApp message to the CW stating in sum and substance that he had two people who were willing to pay for approval of their NIV renewals. The CW, in a WhatsApp message, on the same day, said that the CW had a “friend” who could do the NIV renewals without any interview.

7. On or about January 31, 2018, defendant Santos sent several WhatsApp messages to the CW between approximately 12:12 PM and 12:36 PM, explaining that defendant Santos had “to switch to a new partner in [the Dominican Republic].” Defendant Santos said that the new partner was “bringing in lots of business,” that he had “7 people for February,” and that defendant Santos would “send [the CW] the names in a little while,” meaning that defendant Santos would send the names of additional applicants for the CW to favorably handle and approve NIVs in exchange for bribes.

8. Throughout in or about February 2018, defendant Santos sent the CW, via WhatsApp messaging, the names and appointment confirmations for five NIV Applicants, all of whom had interviews scheduled with the U.S. Consulate in Santo Domingo in or about March 2018 (collectively, the “March Applicants”). Law enforcement confirmed that the March Applicants had submitted visa applications, and that they had appointments to appear before the U.S. Consulate in Santo Domingo on the dates and times provided to the CW by defendant Santos.

9. On or about February 25, 2018, defendant Santos and the CW met in Hoboken, New Jersey (the “Hoboken Meeting”). During that meeting, which was consensually recorded by law enforcement, defendant Santos confirmed that the Applicants would pay \$1,000 each, and that the money would be split three ways, with a portion going to the CW. Defendant Santos also identified a relative as a participant in the scheme, and stated in that the CW could pick up the CW’s bribe payment from the relative who lived in and around La Vega, Dominican Republic. Defendant Santos also confirmed the names of two of the March Applicants, and informed the CW that everything was arranged on their side, and that it now depended on the CW, likely meaning that it was now up to the CW to favorably handle and approve the applications.

10. Law enforcement arranged for the issuance of what appeared to be genuine visas for the March Applicants. Accordingly, when each of the March Applicants appeared for their respective interviews, they were informed that their applications had been approved.

11. At the direction of law enforcement, defendant Santos was informed by the CW that NIVs had been approved for the March Applicants. On or about March 9, 2018, defendant Santos sent a WhatsApp message to the CW stating that defendant Santos was transferring money via a money transferring service in the amount of \$2,380.95 (\$2,500 less the transfer service processing fee) to the CW through defendant Santos's relative.

12. On or about March 10, 2018, at the direction and in the presence of law enforcement, the CW went to the money transferring service's business in Santo Domingo, and received approximately \$2,381 sent by defendant Santos's relative on behalf of defendant Santos.