

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	
	:	Hon.
	:	
v.	:	Criminal No. 18-
	:	
	:	18 U.S.C. §§ 201(b)(1)(A), (B) & (C)
LUIS SANTOS	:	18 U.S.C. § 2
	:	

I N F O R M A T I O N

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information unless otherwise indicated:

a. Defendant LUIS SANTOS (“SANTOS”) was a resident of Guttenberg, New Jersey until in or about February 2018, when he became a resident of Teaneck, New Jersey.

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. 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.

c. 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.

d. 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).

e. 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.

f. 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.

g. 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 the type of visa issued.

h. 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.

i. A cooperating witness (“CW”) was employed by the State Department as a U.S Consular Adjudicator in Santo Domingo, Dominican Republic.

j. WhatsApp was an instant messaging application that allowed users to send and receive, among other things, text messages, voice calls, and documents. The application ran through mobile devices, but also could be accessed via computer.

2. From on or about September 22, 2017 to on or about March 9, 2018, SANTOS contacted the CW via WhatsApp and solicited the CW to participate in a bribery and fraud scheme, whereby SANTOS would pay money to the CW in exchange for the CW favorably handling and adjudicating fraudulent NIVs.

3. Throughout in or about February 2018, 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”). SANTOS offered to pay the CW \$500 for each fraudulent NIV issued to one of the March Applicants.

4. On or about February 25, 2018, SANTOS and the CW met in Hoboken, New Jersey (the “Hoboken Meeting”). During that meeting, which was consensually recorded by law enforcement, SANTOS confirmed that the March Applicants would pay \$1,000 each for their fraudulent NIVs, and that the money would be split three ways, with a portion going to the CW in exchange for the CW favorably reviewing and adjudicating the five NIVs.

5. 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.

6. On or about March 9, 2018, SANTOS caused a relative in the Dominican Republic to wire \$2,380.95 (\$2,500 less the transfer service processing fee) to the CW via a money transferring service in exchange for the approval of NIVs for the five March Applicants.

7. From on or about September 22, 2017 to on or about March 9, 2018, in the District of New Jersey, and elsewhere, defendant

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did, directly and indirectly, corruptly give, offer, and promise things of value, namely, at least approximately \$2,380.95 in United States currency, to a State Department employee, 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, United States Code, Sections 201(b)(1)(A), (B), and (C) and Section 2.


CRAIG CARPENITO
United States Attorney

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UNITED STATES OF AMERICA

v.

LUIS SANTOS

INFORMATION FOR

18 U.S.C. §§ 201(b)(1)(A), (B) & (C)
18 U.S.C. § 2

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