



*United States Attorney
Southern District of New York*

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CONTACT: U.S. ATTORNEY'S OFFICE
HEATHER TASKER, LAUREN McDONOUGH
YUSILL SCRIBNER
PUBLIC INFORMATION OFFICE
(212) 637-2600

FBI
CHRISTINE MONACO,
JAMES MARGOLIN
(212) 384-2715, 2720

DHS
TAMARA FAULKNER
(202) 254-4040

**U.S. ARRESTS FORMER AND PRESENT IMMIGRATION OFFICIALS
AND SIX OTHERS IN SCHEME TO TAKE BRIBES IN EXCHANGE FOR
GRANTING CITIZENSHIP TO ALIENS**

MICHAEL J. GARCIA, United States Attorney for the Southern District of New York, MARK J. MERSHON, Assistant Director-in-Charge of the New York Office of the Federal Bureau of Investigation ("FBI"), and RICHARD L. SKINNER, Inspector General, Department of Homeland Security ("DHS"), announced the arrest today of JIMMIE ORTEGA, a former Supervisory District Adjudications Officer with the naturalization unit of the United States Citizenship & Immigration Services ("CIS") in New York, New York, in connection with a scheme to provide United States citizenship to dozens of ineligible aliens in exchange for bribes. The Indictment, which was unsealed earlier today, also charges nine other defendants in connection with the scheme. A Complaint, which also was unsealed earlier today, charges an additional defendant, OSCAR FABREGAS, in connection with the scheme. FABREGAS, who is currently a Supervisory District Adjudications Officer at CIS, served as a District Adjudications Officer during the course of the scheme. FABREGAS, RAFAELINA PICHARDO, JAMLET GARCIA, ANDREA PEGUERO SANTILLANA, ALBERTO COLON, BILERCA SANTANA, and JOSE ALMONTE were arrested earlier today. BLAS ISRAEL DIAZ, JOSE LORA, and DIAULICIA CABA remain at large.

The Indictment alleges that ORTEGA accepted bribes from aliens who were seeking United States Citizenship. In exchange, ORTEGA, working with one or more other CIS employees, is alleged to have used his position with CIS to have the aliens' citizenship applications approved without the aliens having met necessary citizenship requirements, including the requirements that they (a) appear at CIS's office in New York, New York, for an interview with a CIS adjudications officer; (b) demonstrate proficiency in the English language during such an interview; and (c) pass the required civics and United States history examination during such an interview. According to the Complaint, FABREGAS's participation in the scheme involved approving the citizenship application of an alien by falsely attesting that the alien had met the requirements necessary for naturalization.

According to the Indictment, ORTEGA solicited and received bribes ranging from \$1,500 to \$4,000 in exchange for arranging for naturalization of ineligible aliens. ORTEGA allegedly solicited bribes from at least 20 aliens in connection with the scheme. ORTEGA retired from his position at CIS in April of 2006.

During the course of the scheme, according to the Indictment, ORTEGA employed the services of brokers, including defendants PICHARDO and CABA, who allegedly assisted ORTEGA in finding aliens interested in obtaining citizenship in exchange for bribes. PICHARDO, CABA, and the other brokers typically received a finders fee for the aliens they introduced to ORTEGA. PICHARDO, by herself, is alleged to have recruited approximately fifteen aliens who agreed to pay bribes in exchange for citizenship.

Defendants GARCIA, PEGUERO SANTILLANA, DIAZ, LORA, COLON, SANTANA, and ALMONTE are alleged to have paid bribes to ORTEGA in exchange for citizenship.

ORTEGA is charged with one count of conspiracy; four counts of soliciting bribes; and eight counts of procuring or attempting to procure naturalization unlawfully. ORTEGA, 54, resides in Lindenhurst, New York. If convicted, ORTEGA faces a maximum sentence of 145 years' imprisonment.

FABREGAS is charged with one count of conspiracy. FABREGAS, 38, resides in the Bronx, New York. If convicted, FABREGAS faces a maximum sentence of 5 years' imprisonment.

PICHARDO is charged with one count of conspiracy and one count of procuring or attempting to procure naturalization

unlawfully. PICHARDO, 37, resides in New York, New York. If convicted, PICHARDO faces a maximum sentence of 15 years' imprisonment.

CABA is charged with one count of conspiracy; one count of soliciting bribes; and two counts of procuring or attempting to procure naturalization unlawfully. CABA, 46, resides in the Bronx, New York. If convicted, CABA faces a maximum sentence of 40 years' imprisonment.

GARCIA, PEGUERO SANTILLANA, DIAZ, LORA, COLON, SANTANA, and ALMONTE each are charged with one count of bribery of a public official and one count of procuring or attempting to procure naturalization unlawfully. Each faces a maximum sentence of 25 years' imprisonment. GARCIA, 32, resides in Yonkers, New York. PEGUERO SANTILLANA, 54, resides in Leonia, New Jersey. DIAZ, 38, resides in New York, New York. LORA, 41, resides in New York, New York. COLON, 54, resides in the Bronx, New York. SANTANA, 42, resides in New York, New York. ALMONTE, 44, resides in New York, New York.

The case was assigned to United States District Judge John F. Keenan. ORTEGA, FABREGAS, RAFAELINA PICHARDO, GARCIA, PEGUERO SANTILLANA, COLON, SANTANA, and ALMONTE will be presented later today before U.S. Magistrate Judge Debra Freeman.

Mr. GARCIA thanked the FBI and the DHS Inspector General's Office for their assistance in this investigation. Mr. GARCIA said the investigation is continuing.

Mr. GARCIA added: "This case exposes a naturalization supervisor who is charged with taking money to provide citizenship to ineligible aliens, and naturalization employees who are charged with assisting him. This kind of corruption does a serious disservice to the thousands of honest CIS employees and to all those immigrants who follow the rules in attempting to obtain the benefits of citizenship."

Mr. MERSHON stated: "Each year, hundreds of thousands of foreign nationals are granted the privilege of U.S. citizenship, which affords them all the rights and protections provided by our Constitution. Mr. Ortega and Mr. Fabregas, government officials trusted to maintain the integrity of the naturalization process, allegedly sold American citizenship like a commodity. The FBI remains committed to aggressively pursuing public officials who use their trusted positions for their own personal gain."

"Corruption will not be tolerated within the Department

of Homeland Security. The OIG will continue to be committed in working with our law enforcement partners to identify and aggressively investigate and prosecute all allegations of corruption. The arrests today reflect the success of our ongoing commitment to root out corruption and put an end to such schemes," said Mr. SKINNER.

Assistant United States Attorney MARCUS A. ASNER is in charge of the prosecution.

The charges contained in the Indictment are merely accusations and the defendants are presumed innocent unless and until proven guilty.

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