

**Department of Justice**

U.S. Attorney's Office

Northern District of California

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FOR IMMEDIATE RELEASE

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## **Sunnyvale Man Sentenced To 15 Months For Visa Fraud**

### **Defendant Falsified Over 100 H-1B Visa Applications And Obtained More Than \$1.5 Million In Fraud Proceeds**

SAN JOSE – Kishore Kumar Kavuru was sentenced late yesterday in federal court to 15 months in prison for making false statements in foreign worker visa applications, announced Acting United States Attorney Stephanie M. Hinds, U.S. Department of Labor Office of Inspector General Special Agent in Charge Quentin Heiden, Los Angeles Region, and Homeland Security Investigations Special Agent in Charge Tatum King. The sentence was handed down by United States District Judge Edward J. Davila.

Kavuru, 49, of Sunnyvale, California, pleaded guilty to one count of visa fraud on May 24, 2021. In his plea agreement, Kavuru stated he owned, operated, and was CEO of four different staffing companies. His companies specialized in obtaining H-1B visas for foreign skilled workers and placing these individuals in the United States at technology firms seeking qualified H-1B contractors. Known as H-1B Specialty Occupation Workers program, the H-1B visa program allows an employer to temporarily hire a skilled foreign worker in the United States on a nonimmigrant basis. The position must qualify as a “specialty occupation,” that is, one that requires the application of specialized knowledge and a bachelor’s degree or equivalent in the specialty. At the four staffing companies he owned and ran, Kavuru was responsible for creating H-1B visa applications for foreign workers and submitting them to the appropriate government agencies of the United States.

Kavuru admitted in his plea agreement that from 2009 through at least 2017 he engaged in a scheme to obtain H-1B visas from government agencies by submitting H-1B applications that contained false and fraudulent statements. Kavuru admitted to submitting more than one hundred applications that falsely described available H-1B positions and falsely stated that the H-1B workers were to be placed at the positions at specific companies. Kavuru admitted he knew at the time he submitted the applications that the companies did not have the named jobs and that he did not intend to place the workers at those companies. None of those foreign skilled workers were ever placed at those companies. Kavuru – or one of his employees at Kavuru’s direction – nevertheless signed the visa applications attesting under penalty of perjury to the truth of those false statements.

Kavuru further admitted that he required the H-1B foreign skilled workers to pay him thousands of dollars in cash for the cost of preparing and submitting their H-1B visa petitions, which is a violation of U.S. Department of Labor (US DOL) regulations. He also admitted requiring his H-1B visa recipients to go unpaid for months while he looked for legitimate H-1B positions for them, violating US DOL regulations by failing to pay H-1B workers while they are “benched” in this manner.

In a memo filed for sentencing, the government calculated that Kavuru orchestrated the submission of over 100 fraudulent H-1B visa applications that earned him more than \$1.5 million in fraudulently-obtained proceeds.

In addition to his 15 month prison sentence imposed for visa fraud in violation of 18 U.S.C. § 1546(a), United District Judge Edward J. Davila entered a forfeiture money judgment in the amount of \$533,350.03. The sentence also included a three year period of supervision following Kavuru's release from prison.

Kavuru will surrender to begin serving his sentence on February 10, 2022.

Assistant United States Attorney Maia T. Perez prosecuted the case, with the assistance of Lakisha Holliman. The prosecution is the result of an investigation by the U.S. Department of Labor, Office of Inspector General and Homeland Security Investigations.

**Component(s):**

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