

**Department of Justice**  
U.S. Attorney's Office  
District of Vermont

---

FOR IMMEDIATE RELEASE  
Tuesday, January 31, 2017

## **New York Couple Sentenced for H1B Visa Fraud Scheme, Forfeits \$1 Million**

The Office of the United States Attorney for the District of Vermont announced today that Loreto Kudera, age 45, and Hazel Kudera, age 43, a married couple from New York, New York, were each sentenced to two years of probation and a \$25,000.00 fine following their convictions in an immigration fraud scheme. The Kuderas previously paid a \$1 million forfeiture penalty representing ill-gotten gains from the scheme.

On June 9, 2016, the Kuderas pleaded guilty to charges that they conspired to commit immigration fraud. According to the public record, Hazel Kudera owns several medical staffing agencies in New York specializing in providing nursing professionals to hospitals, outpatient and skilled nursing facilities. She and her husband, Loreto Kudera, then a lawyer at the Law Offices of Barry Silberzweig, in New York, New York, provided false and fraudulent information to the U.S. Citizenship and Immigration Services in St. Albans, Vermont when applying for H1-B visas for foreign nurses.

The H-1B visa program permits an employer to petition on a behalf of a foreign national beneficiary to enter the United States for the specific purpose of working for the employer in a specialty occupation. There are a limited number of H-1B visas available each year, and the purpose of the program is to ensure that these visas go to legitimate beneficiaries to fill specialty positions from a qualified work force. Working as a general RN or LPN is not considered a specialty occupation by the U.S. Citizenship and Immigration Service. Knowing this, Hazel Kudera and Loreto Kudera falsely stated that these foreign nurses, mostly from the Philippines, would be working in specialty occupations at prevailing wage rates when, in fact, they were going to work as LPNs or RNs at much lower rates, mostly at nursing homes. Hazel Kudera and Loreto Kudera profited from this scheme from the filing fees they collected from the beneficiaries as well as from the health care facilities which were paying fees to the medical staffing agencies owned by Hazel Kudera. The Kuderas admitted that they submitted 100 or more fraudulent petitions as part of their scheme. As a result of their convictions, the Kuderas also forfeited \$1,000,000 in illegal proceeds to the United States.

Today, Judge J. Garvan Murtha sentenced the Kuderas to each serve two years of probation and to each pay an additional \$25,000.00 fine.

The United States Attorney commended the investigative efforts of the United States Department of State, Diplomatic Security Service, the United States Department of Labor Office of Inspector General, Office of Labor Racketeering and Fraud, and the United States Department of Homeland Security, Homeland Security Investigations, in Boston, Massachusetts, who jointly spearheaded the investigation. The United States Attorney also wishes to thank the United States Citizenship and Immigration Service, Security Fraud Division, at the Vermont Service Center in St. Albans, Vermont for their assistance with the investigation.

The United States was represented in the investigation, plea, and forfeiture stages of the case by Assistant U.S. Attorney Heather E. Ross and at sentencing by First Assistant U.S. Attorney Eugenia Cowles. Hazel Kudera is represented by Richard Willstatter of Green & Willstatter, White Plains, New York and Loreto Kudera is represented by Marc Fernich of New York, New York.