

Department of Justice
U.S. Attorney's Office
Southern District of Texas

FOR IMMEDIATE RELEASE
Wednesday, September 4, 2019

Texas Man Sentenced in H-2B Visa Scam

BROWNSVILLE, Texas – A 45-year-old Houston man has been sentenced in Brownsville federal court for recruiting individuals to petition for visa workers they did not need, announced U.S. Attorney Ryan K. Patrick along with Jeffrey McGallicher, special agent in charge of the U.S. State Department's Diplomatic Security Service (DSS) - Houston Field Office, Special Agent in Charge Shane Folden of Immigration and Customs Enforcement's Homeland Security Investigations (HSI) - San Antonio and Steven Grell, special agent in charge of Department of Labor - Office of Inspector General (DOL-OIG), Dallas Region.

Marco Pesquera pleaded guilty to conspiracy to commit visa fraud Jan. 3, 2019.

Today, U.S. District Judge Fernando Rodriguez sentenced Pesquera to 38 months in prison to be immediately followed by three years of supervised release. He was further ordered to forfeit \$5 million in a money judgment and his Houston residence.

Norma Linda Vega, 46 of Houston, Saul Atkinson, 47, of Brownsville, and Gwendolyn Saldivar, 41, of Snellville, Georgia were also charged and have pleaded guilty.

At the time of plea, Pesquera admitted that from approximately 2011 to January of 2018, he and his co-conspirators utilized legitimate and fictitious companies to petition for H-2B visas. Pesquera recruited and paid individuals to petition for visa workers they did not need and then utilized the foreign workers to fulfill labor contracts.

"This is a perfect illustration of our global reach and our ability to partner with U.S. and foreign law enforcement agencies on complex international, multi-jurisdictional cases," said McGallicher. "DSS and our counterparts are conducting investigations like these on a daily basis around the world to protect the integrity of the visa process, the security of the homeland and the American work force."

"HSI's message is clear – America's legal immigration system is not for sale," said Folden. "In addition to posing significant security and safety vulnerabilities that could be exploited by criminals and others who pose a danger to our community, immigration benefit fraud undermines the integrity of our legal immigration process and penalizes those who abide by the law."

"Pesquera and his co-conspirators defrauded the DOL's H-2B program by filing false documentation to obtain visas for more than 1000 foreign workers to work in the U.S illegally," said Grell. "We will continue to work with our law enforcement partners to vigorously pursue those who defraud worker visa programs for their own personal gain."

Pesquera's business, Pangea Enterprises Inc., contracted with large industries to provide labor and profited by paying foreign workers an hourly wage well below the contract rate.

Pesquera and his co-defendants utilized false documents that included contracts, tax forms, web sites and fictitious phone numbers and business addresses to facilitate the fraud.

Pesquera also admitted to obstructing the investigation by creating false documents in response to a federal subpoena.

He was permitted to temporarily remain on bond and surrender Oct. 4, 2019, to begin his sentence at a U.S. Bureau of Prisons facility.

DSS, HSI and DOL-OIG conducted the investigation as members of the Document and Benefit Fraud Task Force. Assistant U.S. Attorney Bill Hagen is prosecuting the case.