

## Man Convicted of Forcing Foreign Nurses to Work in U.S. Nursing Homes

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A Colorado businessman was convicted last month by a federal jury in Denver on 89 counts including mail fraud, visa fraud, human trafficking and money laundering. This case was investigated by the U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI), the Department of State's Diplomatic Security Service, and the U.S. Department of Labor's Office of the Inspector General, Office of Labor Racketeering and Fraud Investigations.

Kizzy Kalu, owner of Foreign Healthcare Professionals Group, recruited foreign-born nurses to work as nurse instructors and nurse instructor supervisors for a non-existent university in Denver. Mr. Kalu, through his company, filed fraudulent H-1B non-immigrant petitions with the United States Citizenship and Immigration Service. Mr. Kalu also made false representations to the foreign nationals in regard to the professional nature of their jobs and the wages to be paid. Upon arrival in the U.S., the nurses were informed that the positions at the university were no longer available. Mr. Kalu used methods of coercion, including the threat of causing their deportation, to force the foreign nationals to work at various nursing homes and other long term care facilities in Colorado earning below the prevailing wage. Those facilities paid Foreign Healthcare Professionals Group for the hours the foreign nationals worked. Mr. Kalu retained approximately 40 percent of the money earned from the labor of the foreign nationals. In addition, Mr. Kalu collected \$6,500 from each nurse for assistance in obtaining their visas.

Kizzy Kalu was convicted of the following charges: Nineteen counts of commercial carrier/mail fraud, which carries a penalty of not more than 20 years in federal prison per count; three counts of visa fraud, which carries a penalty of not more than 10 years in federal prison per count; nine counts of trafficking in forced labor, which carries a penalty of not more than 20 years in federal prison per count; 13 counts of forced labor, which carries a penalty of not more than 20 years per count; 15 counts of encouraging and inducing aliens to enter the United States, which carries a penalty of not more than 10 years in prison per count; and 30 counts of money laundering, which carries a penalty of not more than 20 years in prison per count. Each of the 89 counts also carries a fine of up to \$250,000.

The conviction of Kizzy Kalu brings to light the government's efforts to eliminate visa fraud and prevent abusive businesses from luring foreign national workers with false promises of well-paying jobs. ICE is aggressively pursuing criminal and civil enforcement against employers who knowingly violate the law. Criminal investigations will increasingly focus on employers who abuse and exploit workers or otherwise engage in egregious conduct. Employers hiring foreign workers need to navigate the process of sponsorship carefully and understand that immigration is an extremely complicated body of law that constantly changes with new statutes from Congress; regulations, procedures and policy directives from numerous federal agencies; and decisions from judicial and administrative courts.