



U.S. Department of Justice

Channing D. Phillips
*United States Attorney for the
District of Columbia*
Judiciary Center
555 Fourth St. N.W.
Washington, D.C. 20530

PRESS RELEASE

FOR IMMEDIATE RELEASE

Wednesday, May 18, 2016

For Information Contact:

Public Affairs

(202) 252-6933

<http://www.justice.gov/usao/dc/index.html>

Former DEA Supervisory Agent Pleads Guilty To Federal Charge Involving His Personal Use of Free Air Travel Defendant Failed to List Gifts on Public Financial Disclosure Reports

WASHINGTON – Leonardo Silva, a former supervisory agent with the Drug Enforcement Administration (DEA), pleaded guilty today to a charge of making a false statement involving his failure to disclose free travel that was provided to him by two businessmen while he was the Resident Agent in Charge of the DEA’s field office in Monterrey, Mexico. Silva also admitted providing false and derogatory information to the State Department regarding three United States visa holders from Mexico who were engaged in various disputes with the businessmen.

The guilty plea was announced by U.S. Attorney Channing D. Phillips, Leslie R. Caldwell, Assistant Attorney General of the Justice Department’s Criminal Division, Michael E. Horowitz, the Justice Department’s Inspector General, and Bill A. Miller, Director of the U.S. Department of State’s Diplomatic Security Service (DSS).

Silva, 51, pleaded guilty in the U.S. District Court for the District of Columbia. The offense carries a statutory maximum of five years in prison and potential financial penalties. Silva is to be sentenced Dec. 6, 2016 by the Honorable Senior Judge Thomas F. Hogan.

“Federal employees must be truthful, transparent, and complete when filing public financial disclosure reports,” said U.S. Attorney Phillips. “As a DEA supervisor, Leonardo Silva was required to disclose the free travel that he was receiving. As this prosecution reflects, one’s failure to disclose such benefits can have significant consequences.”

“The defendant’s abuse of his position as DEA’s highest ranking official in Monterrey, Mexico for personal gain, as well as the use of his office to spread false information about U.S. visa holders, is shameful and impacted U.S. Government operations overseas,” said Inspector

General Horowitz. “This case makes clear that those who enforce the law must follow it or face the consequences.”

“The Diplomatic Security Service is firmly committed to working with the U.S. Department of Justice and our other law enforcement partners to investigate allegations of crime related to passport and visa fraud and to bring those who commit these crimes to justice,” said Director Miller.

Silva was the Resident Agent in Charge in Monterrey from 2008 through Dec. 9, 2014; he was the highest-ranking DEA official in the office. In his position, he was subject to annually filing financial disclosure requirements meant to identify potential or actual conflicts of interest.

The Public Financial Disclosure Reports require certain government employees to identify assets and income; liabilities; positions held outside of government; certain agreements or arrangements that raise the possibility of a conflict of interest, and gifts and travel reimbursements that total more than \$350 from any one source during the reporting period. Silva reported no gifts or travel reimbursements on forms that were filed in 2012, 2013, and 2014.

In his guilty plea, Silva admitted to failing to report that he flew on roughly 100 private flights on planes owned or operated by foreign nationals and U.S. civilians. This personal travel was between Monterrey, Mexico, and McAllen, Texas, and took place from September 2010 through November 2014. The false statements charge specifically involves at least 27 of those flights, which took place in 2013. Silva pleaded guilty to falsely certifying on the Department of Justice disclosure report that he had received no gifts or travel reimbursements in 2013 totaling more than \$350 from any one source. In fact, the fair market value of each of these flights was in excess of \$350. Silva never paid the fair market value, although on occasion he paid fuel costs.

According to court documents filed today, four of the roughly 100 private flights that Silva received were provided by a Mexican national who had access to an 18-passenger private plane. Approximately 24 of the flights were provided by a U.S. citizen who owned companies that specialized in selling and leasing aircraft and brokering charters. Silva had social relationships with both of these businessmen.

The Mexican national who owned the 18-passenger private plane was involved in an inheritance dispute with a relative. According to the court documents, in 2012 and 2013 Silva provided false information to the State Department, falsely claiming, among other things, that this relative was a distributor of cocaine, and requesting that the relative’s U.S. visa be revoked. Based on this negative information, the State Department revoked the visas of the relative and her husband. Silva promptly informed the Mexican national who owned the 18-passenger private plane of the revocation. The Mexican national thanked Silva for the revocation.

Meanwhile, the U.S. national who provided approximately 24 flights to Silva was involved in a business dispute with a person who held a U.S. visa. According to the court documents, in 2013—after the U.S. national raised concerns to Silva about the U.S. visa holder—Silva provided false information to the State Department regarding this U.S. visa holder.

The State Department revoked the visa of this person, but for a reason that was not related to Silva's report.

This case is being investigated by the Justice Department's Office of the Inspector General and the State Department's Diplomatic Security Service. It is being prosecuted by Assistant U.S. Attorneys Matt Graves and Michelle Bradford, of the U.S. Attorney's Office for the District of Columbia, and Trial Attorney Robert J. Heberle of the Department of Justice's Public Integrity Section.

16-86

##