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February 3, 2016

The Honorable Loretta Lynch  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave, NW  
Washington, DC 20530

Dear Attorney General Lynch,

I am writing to express my concern over Eversource Energy's apparent abuse of nonimmigrant worker visa programs. In 2014, Eversource fired 200 American information technology workers in Connecticut and Massachusetts in order to replace them with similarly skilled, lower-paid nonimmigrant worker visa holders. I strongly encourage you to investigate this matter.

News reports have uncovered troubling details about Eversource's actions, which I believe make the matter a strong candidate for investigation by the Department of Justice. According to these reports, Eversource contracted with two offshore outsourcing firms to bring in foreign workers through a nonimmigrant worker visa program to replace their American IT staff. Then, the company forced the American workers – under threat of losing severance pay – to train their replacements and to refrain from making any “statements to anyone, spoken or written, that would tend to disparage or discredit [Eversource] or any of [its] officers.” The attempt to coerce the laid-off employees into remaining silent about their treatment is deeply troubling.

The statute and regulations governing certain nonimmigrant worker visa programs, like the H-1B program, require employers utilizing the visas in many cases to attest that they offered the job to qualified American applicants and sought to avoid the displacement of American workers. In light of the fact that at least some of the workers laid off by Eversource were coerced into training their replacements, it seems highly possible that the company's behavior in this matter violated its legal obligations.

Eversource seems to be just the latest example of American companies abusing nonimmigrant worker visa programs and harming American workers by outsourcing jobs. The use of foreign outsourcing firms has been the subject of major concern among a bipartisan group of my Senate colleagues for some time, as has the disproportionate displacement of American IT workers by H-1B and other nonimmigrant worker visa holders generally. Such apparent abuses are the reason I have helped lead the fight to reform the H-1B and L-1B programs by co-

sponsoring bipartisan legislation that would prohibit companies from replacing American workers with nonimmigrant visa holders.

I am greatly concerned about whether Eversource has violated current law. In light of these highly suspicious actions, I urge the Justice Department to use all necessary resources to investigate Eversource's conduct with regard to these workers and determine whether the company has abused any of the nonimmigrant worker visa programs, relevant employment laws, or other rules or standards governing its behavior.

Thank you for your prompt attention to this matter.

Sincerely,



RICHARD BLUMENTHAL  
United States Senate