

# Pending Sentencing Spotlights H-1B Visa Abuse in America's Heartland

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To get a fuller understanding of how deeply H-1B visa fraud has permeated this country, it's helpful to consider the case of two men in Clinton, Iowa, who have pleaded guilty to fraud charges filed against them two years ago, and who will be sentenced by an Iowa court tomorrow.

Vineet Maheshwari, a native of India, and Fazal Mehmood (also known as Fazal Awan), a native of Pakistan, were arrested and charged with violations of U.S. immigration law in February 2009. According to federal prosecutors, the men brought workers into the United States under the H-1B visa program for jobs that never really existed. This excerpt from a **Quad-City Times** article explains what was going on:

Despite having brought in hundreds of employees, predominately from Pakistan, only three visa holders — the office manager, a secretary and Awan's brother — were in the office when federal authorities arrived.

"In the entire time the manager has worked there, there has never been a job waiting for any of these people," according to an affidavit attached to a request to freeze \$1.8 million in assets of those involved in the investigation. "When they arrive in Clinton they are directed to computers there in the office and are told to find a job on their own." ... The men "have accumulated a substantial amount of assets" with the fraud, officials said. "First by collecting money from the various workers at the outset, then by skimming money from their pay, and then by the money they charge the various employers who pay (Worldwide and their other companies) for the work performed ..."

As disturbing as all of that is, equally disturbing is a lawsuit that was filed against the two men a couple of months earlier, in which temporary worker Sara Felderman alleged sexual harassment. The **Clinton Herald** reported the case in April 2009:

According to the lawsuit, Felderman began working for the company on June 15, 2007 through a temporary agency. On Aug. 1, 2007, she was hired by Worldwide. According to Felderman's lawsuit, Mehmood made offensive, racial, sexist and harassing remarks to Felderman. She claims that when she complained about Mehmood's behavior, he and Maheshwari retaliated by making her working conditions intolerable by "demeaning, criticizing and harassing her." She claims that Mehmood, in her presence, described her as a "beautiful big-breasted white girl" and offered to give her a marketing assignment because he believed she would get more business for the company.

She also says Mehmood insisted she serve the immigrant employees at the office because she was the only woman there. She states that she complained to Maheshwari about the harassment but that he failed to take any action to remedy it or prevent additional harassment.

That case was slated to go to trial on Feb. 1, 2010, but I've been unable to determine its disposition. If you're inclined to look into it and have better luck, please let me know.

Fortunately, the fraud case is still in the public eye, with **The Associated Press** reporting yesterday that the men will be sentenced at the federal courthouse in Davenport tomorrow. It will be interesting to see how severe the sentence will be, and how good or poor of a job the U.S. media does in covering it. Hopefully, the sentence will be tough enough to send a strong warning message to other H-1B visa abusers. And hopefully, the U.S. media will do its job and send it.

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