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ICE ASSISTANT SECRETARY JOHN MORTON ANNOUNCES 1,000 NEW WORKPLACE AUDITS TO HOLD EMPLOYERS ACCOUNTABLE FOR THEIR HIRING PRACTICES

WASHINGTON—U.S. Immigration and Customs Enforcement (ICE) Assistant Secretary John Morton today announced the issuance of Notices of Inspection (NOIs) to 1,000 employers across the country associated with critical infrastructure—alerting business owners that ICE will audit their hiring records to determine compliance with employment eligibility verification laws.

“ICE is focused on finding and penalizing employers who believe they can unfairly get ahead by cultivating illegal workplaces,” said Assistant Secretary Morton. “We are increasing criminal and civil enforcement of immigration-related employment laws and imposing smart, tough employer sanctions to even the playing field for employers who play by the rules.”

The 1,000 businesses served with audit notices this week were selected for inspection as a result of investigative leads and intelligence and because of the business’ connection to public safety and national security—for example, privately owned critical infrastructure and key resources. The names and locations of the businesses will not be released at this time due to the ongoing, law enforcement sensitive nature of these audits.

Audits involve a comprehensive review of Form I-9s, which employers are required to complete and retain for each individual hired in the United States. I-9 forms require employers to review and record each individual’s identity and work eligibility document(s) and determine whether the document(s) reasonably appear to be genuine and related to that specific individual.

Protecting employment opportunities for the nation’s lawful workforce and targeting employers who knowingly employ an illegal workforce are major ICE priorities, for which ICE employs all available civil and administrative tools, including audits. Audits may result in civil penalties and lay the groundwork for criminal prosecution of employers who knowingly violate the law.

In April, DHS issued updated worksite enforcement guidance emphasizing ICE’s major enforcement priorities—specifically focusing on dangerous criminal aliens and employers who cultivate illegal workplaces by breaking the country’s laws and knowingly hiring illegal workers. In this strategy, ICE identified form I-9 audits as the most important administrative tool in building criminal cases and bringing employers into compliance with the law.

Statistics since implementation of new ICE worksite enforcement strategy on April 30:

- 45 businesses and 47 individuals debarred;
 - 0 businesses and 1 individual were debarred during same period in FY 2008.
- 142 Notices of Intent to Fine (NIF) totaling \$15,865,181;
 - ICE issued 32 NIFs totaling \$2,355,330 in all of FY 2008.
- 45 Final Orders totaling \$798,179;
 - ICE issued eight Final Orders totaling \$196,523 during the same period in FY 2008
- 1,897 cases initiated;
 - ICE initiated 605 cases during the same period in FY 2008.
- 1,069 Form I-9 Inspections;
 - ICE initiated 503 Form I-9 Inspections in all of FY 2008.

In July, ICE issued 654 NOIs to businesses nationwide in the largest operation of its kind before today—part of ICE’s effort to audit businesses suspected of using illegal labor.

Statistics resulting from the 654 audits announced in July:

- ICE agents reviewed more than 85,000 Form I-9s and identified more than 14,000 suspect documents—approximately 16 percent of the total number reviewed.
- To date, 61 NIFs have been issued, resulting in \$2,310,255 in fines. In addition, 267 cases are currently being considered for Notices of Intent to Fine (NIFs).
- ICE closed 326 cases after businesses were found to be in compliance with employment laws or after businesses were served with a Warning Notice in expectation of future compliance.

For more information, visit www.ice.gov.

ICE

U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities. For more information, visit: www.ICE.gov. To report suspicious activity, call 1-866-347-2423.