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NEWS UPDATE

July 1, 2009

Subject: ICE Step-up Enforcement of I-9s

Attached please find a recent ICE (U.S. Immigration and Customs Enforcement) News Release regarding its increasingly stepped up I-9 enforcement activities, including ICE's issuance of audit notices to 652 U.S. employers.

We urge our clients to review their I-9 compliance programs, and to conduct an internal audit of all I-9s and LCAs. We are available to assist clients on all I-9 issues, including developing an effective I-9 compliance program and conducting onsite I-9 audits.

These updates are published periodically by The Rudnick Spector Firm to provide current news and events to our clients and friends. It is intended only to inform, not to provide legal advice, and readers should seek professional advice for all legal questions.



U.S. Immigration
and Customs
Enforcement

News Release

July 1, 2009

Contact: ICE Public Affairs
Phone: (202) 732-4242

ICE launches initiative to step-up audits of businesses' employment records *652 businesses nationwide being served with audit notices today*

WASHINGTON – U.S. Immigration and Customs Enforcement (ICE) is launching a bold, new audit initiative today by issuing Notices of Inspection (NOIs) to 652 businesses nationwide – which is more than ICE issued throughout all of last fiscal year. The notices alert business owners that ICE will be inspecting their hiring records to determine whether or not they are complying with employment eligibility verification laws and regulations. Inspections are one of the most powerful tools the federal government has to enforce employment and immigration laws. This new initiative illustrates ICE's increased focus on holding employers accountable for their hiring practices and efforts to ensure a legal workforce.

"ICE is committed to establishing a meaningful I-9 inspection program to promote compliance with the law. This nationwide effort is a first step in ICE's long-term strategy to address and deter illegal employment," said Department of Homeland Security Assistant Secretary for ICE John Morton.

Employers are required to complete and retain a Form I-9 for each individual they hire for employment in the United States. This form requires employers to review and record the individual's identity document(s) and determine whether the document(s) reasonably appear to be genuine and related to the individual.

The 652 businesses being presented with a NOI today for a Form I-9 audit have been selected for inspection as a result of leads and information obtained through other investigative means. Due to the ongoing, law enforcement sensitive nature of these audits, the names and locations of the businesses will not be released at this time.

In FY 2008, ICE issued 503 similar notices throughout the year. In April, ICE implemented a new, comprehensive strategy to reduce the demand for illegal employment and protect employment opportunities for the nation's lawful workforce. Under this strategy, ICE is focusing its resources on the auditing and investigation of employers suspected of cultivating illegal workplaces by knowingly employing illegal workers. The nationwide initiative being launched today is a direct result of this new strategy.

ICE

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.