

ICE Launches Initiative to Step-Up Audits of Businesses' Employment Records

On July 1, 2009, U.S. Immigration and Customs Enforcement (ICE), the largest investigative arm of the Department of Homeland Security, sent 652 businesses nationwide Notices of Inspection (NOIs). The notices alert business owners that ICE will be inspecting their hiring records by conducting a Form I-9 audit, in order to ensure that these businesses are complying with employment and immigration laws.

Employers are required to complete a Form I-9 for each employee hired for employment in the United States. The form requires employers to verify the employee's identity documents for employment eligibility verification purposes. Thus, businesses that have received these notices have been selected because of leads and other investigative means regarding possible unlawful employment procedures related to this form.

In 2008, only 503 similar notices were sent to businesses nationwide. The jump in number of notices sent this year demonstrates ICE's new strategy in focusing its efforts in auditing and investigating employers suspected of cultivating illegal workplaces by knowingly employing illegal workers. With the implementation of this new and comprehensive strategy, ICE will work to promote the nation's lawful workforce by holding employers accountable for their hiring practices.

These recent NOIs represent a bold new initiative on the part of ICE to expand their enforcement efforts. Employers would do well to consider their own internal audit and compliance processes to ensure complete compliance with immigration laws and regulations.



For more information regarding compliance with employment eligibility verification laws and regulations, please contact Treaver Hodson at thodson@pkwhlaw.com or (916) 442.3552

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