

Obama Targeting I-9 Compliance

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By: [James R. Wiley](#) U.S. Immigration and Customs Enforcement (ICE) recently announced it had begun an initiative to audit employers' I-9 employment eligibility verification records. Soon after, ICE issued notices to 652 employers nationwide that it would be inspecting their records to determine whether they are in compliance with eligibility verification laws. This is strong statement in line with the Obama administration's announcement earlier this year that it would be focusing resources on the criminal prosecution of employers who knowingly hire illegal workers. Only 503 such notices were issued all of last year. Consistent with this new focus, the Department of Homeland Security recently announced it will push ahead to implement the rule requiring use of the E-Verify system by government contractors. At present, that rule will go into effect September 8, 2009. The new initiative of auditing employers obviously is part of ICE's long-term strategy to address illegal employment. The Obama administration is shifting its emphasis from targeting illegal workers towards holding employers accountable for their hiring practices. Fines will be levied, and criminal charges will be brought on a more regular basis. If you have not done a self-audit recently, you should probably do so, under advice of counsel.

Authored By



[James R. Wiley](#)

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