

ICE ISSUES WAVE OF I-9 AUDIT NOTICES TO COMPANIES NATIONWIDE

As forecast in previous Foster Quan [Immigration Updates](#)[©], U.S. Immigration & Customs Enforcement (ICE) has recently stepped up employer-directed immigration enforcement efforts by beginning service of Notices of Inspection to 652 businesses nationwide on July 1, 2009. By comparison, ICE issued 503 such notices throughout Fiscal Year 2008.

Employers who have received such notices are generally given three business days to respond. Employers should know that they have a right to advice from counsel, and should contact qualified immigration counsel for advice immediately upon receiving an audit notice in order to try to mitigate any potential liability. Employers are also advised to retain a full file copy of any documents provided to ICE officials.

Such enforcement efforts by ICE could lead to both civil and criminal penalties. This new, expansive ICE initiative effectively puts employers on notice of ICE enforcement priorities. All employers are encouraged to seek counsel and an independent Form I-9 audit in order to take appropriate steps to mitigate liability before an audit notice is served.

For more information on conducting an independent Form I-9 audit or for advice and consultation in connection with an audit notice, please contact your Foster Quan immigration attorney. As always, Foster Quan will continue to monitor developments in the area of workforce compliance and will provide additional information via our firm's [website](#) and future Immigration Updates[©].