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Obama Administration to Fine Employers as GOP Pushes to Replace Illegals with U.S. Workers

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By Penny Starr, Senior Staff Writer

Homeland Security Secretary Janet Napolitano said at a workplace symposium in Washington, D.C., on Thursday that the Obama administration is committed to cracking down on employers who employ illegal immigrants, but DHS policy states that the illegal aliens who work for them will only be arrested and detained based on DHS 'priorities.' (CNSNews.com/Penny Starr)

(CNSNews.com) - Homeland Security Secretary Janet Napolitano and U.S. Immigration and Customs Enforcement Assistant Secretary John Morton made appearances in Washington on Thursday to announce that they are cracking down on businesses that employ illegal immigrants as well as recognizing those that try to follow the law by using an online system that verifies an employee's legal status.

On the same day, Republicans said that while some businesses are being investigated, most illegal workers are not being removed.

“We at DHS are committed ... to investigating and penalizing employers that break the law,” Morton said at a legal workforce symposium. “And as I said, we are also committed to the vast majority of employers who want to comply with the law.”

At a Capitol Hill forum, Rep. Lamar Smith (R-Texas), ranking member of the House Judiciary Committee, and other Republicans discussed data from the Department of Homeland Security (DHS) showing that enforcement of immigration laws in the workplace has plummeted during the first year of Obama's presidency.

“It is hard to conceive of a worse time to cut worksite enforcement efforts by more than half,” Smith said. “There are 16 million Americans out of work. And yet the administration has chosen to ignore the fact that there are nearly 8 million illegal immigrants in the workforce.

“Those stolen jobs should be returned to out-of-work citizens and legal immigrants,” Smith said. “The Obama administration should put citizens and legal immigrants first, especially when it comes to jobs.”

Smith said the data -- not yet available to the public -- shows that arrests, indictments,

and convictions of workplace violations fell by more than 50 percent from fiscal year 2008 to fiscal year 2009.

The only area of enforcement that saw an increase was record audits, but Republicans said those audits are considered a “cost of doing business” for large companies.

The DHS responded by saying the data were not current and that the Obama administration is getting the results it wants.

John Morton, assistant secretary of U.S. Immigration and Customs Enforcement, said ICE has fined businesses that break immigration law millions of dollars.

(CNSNews.com/Penny Starr)

“These statistics reflect a myopic, outdated, and distorted view of effective enforcement,” said DHS spokesman Matt Chandler. “Just a week ago, we highlighted the more than 11,000 murderers, rapists, and kidnappers identified in our jails by the Secure Communities program in the last year, nearly 2,000 of which have already been deported.

“ICE has prioritized its enforcement efforts by focusing on hardened criminals and employers who knowingly hire illegal workers and break the law,” Chandler added.

Morton on Thursday cited the millions of dollars in fines that have been levied against businesses that break immigration law. He announced that ICE has issued “Notices of Inspection” to 1,000 unnamed businesses across the country to “determine compliance with employment eligibility and verification law.”

DHS also launched an “I-E-Verify” campaign on Thursday to recognize the businesses that use the online program to confirm the legal status of potential employees and to encourage “voluntary compliance” for others businesses that have yet to sign on to the program. E-Verify was first launched by the Bush administration.

“ICE is focused on finding and penalizing employers who believe they can unfairly get ahead by cultivating illegal workplaces,” Morton said. “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 focus on employers — and not on individuals who are living and working in the country illegally — is in keeping with the changes at DHS and ICE, which Napolitano announced in April. The changes included a focus on the businesses that knowingly employ illegal aliens and the identification and detention of illegal aliens who have committed serious crimes.

As reported earlier by CNSNews.com, Napolitano said last week that the Obama administration would push for “immigration reform” by giving the estimated 14 million people who are in the United States illegally “fair pathway to earned legal status.”

“A tough and fair pathway to earned legal status will mandate that illegal immigrants

meet a number of requirements, including registering, paying a fine, passing a criminal background check, fully paying all taxes and learning English,” Napolitano said at a panel discussion at the liberal Center for American Progress in Washington, D.C.

At Thursday’s symposium, Napolitano repeated the Obama administration’s commitment to that kind of immigration reform.

“Our immigration problems are complex, but they’re also fixable,” Napolitano said. “This administration is dedicated to helping Congress tackle these problems and adopt real, workable solutions.

“A part of these solutions will be to ensure that our immigration system works for American businesses both large and small,” she said. “At the same time, there is no doubt that a major part of any reform bill will be to make sure employers are held accountable for maintaining a legal workforce.”

In his opening statement at the forum to discuss how illegal aliens are affecting the job market in America, Rep. Steve King (R-Iowa) dismissed the notion that illegal aliens are necessary to the U.S. economy because they are doing jobs that Americans supposedly do not want to do.

“Americans are willing to work at any job,” King said. “The hottest, most difficult, dirtiest, and dangerous job in the world is rooting terrorists out of Iraq and Afghanistan. And Marines are doing that job for about \$8.09 an hour.”