

ICE shatters last year's mark for serving I-9 audit notices

By July 20, U.S. Immigration and Customs Enforcement had already served more than 5,200 I-9 audit notices to employers across the country, a dramatic increase over last year's total, when 1,360 I-9 audits were conducted.

Audit notices tell employers that ICE plans to go over their hiring records to make sure employees have documented their eligibility to work in the United States. Federal law requires employers to verify the identity and employment eligibility of everyone they hire, and to document that information on the Employment Eligibility Verification Form I-9.

ICE's worksite enforcement strategy focuses on the criminal prosecution of employers that knowingly fail to comply with I-9 employment eligibility verification procedures.

After an employer receives an ICE notice of inspection, it has three business days to produce its I-9 records. At that point, ICE conducts an inspection for compliance.

If employers are not in compliance, an I-9 inspection will likely result in civil fines and could lay the groundwork for criminal prosecution if they are knowingly violating the law.

In FY17, employers were ordered to pay \$97.6 million in judicial forfeitures, fines and restitution, and \$7.8 million in civil fines.

"Employers need to understand that the integrity of their employment records is just as important to the federal government as the integrity of their tax files and banking records," said Derek N. Benner, acting associate director of ICE's Homeland Security Investigations branch.

All workers encountered during these investigations who are unauthorized to remain in the United States are subject to administrative arrest and removal from the country.