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Dear AAHOA Members:

The federal government's scrutiny of employers' immigration compliance has reached unprecedented levels. According to Homeland Security Department statistics, immigration officers have already audited 2,300 employers in fiscal year 2011 (and we're only in June). This figure, added to the 3,200 audits the Obama Administration conducted through the end of fiscal year 2010, is astounding especially when contrasted with the 503 audits conducted during 2008, the last year of the Bush Administration. It is also important to note that of the millions of dollars collected in civil penalty, most have been for administrative (paperwork) errors, even though there was no evidence of illegal employment.

Employers need to make certain that they adhere strictly to the employment eligibility verification (Form I-9) requirements imposed by federal and even an increasing number of state laws. I, along with coauthor Jacqueline Wolff of Manatt, Phelps & Phillips, LLP, hope that you will find the attached article interesting and instructive. Jacqueline and I have combined our extensive criminal and civil immigration experience, in and out of government, to bring you this critical information.

I hope you enjoy this article and other attached materials. Should you have any questions, please do not hesitate to contact AAHOA or me directly.

Sincerely,



Patrick Shen