

# Fact Sheets

April 17, 2007

## Worksite Enforcement

### Overview:

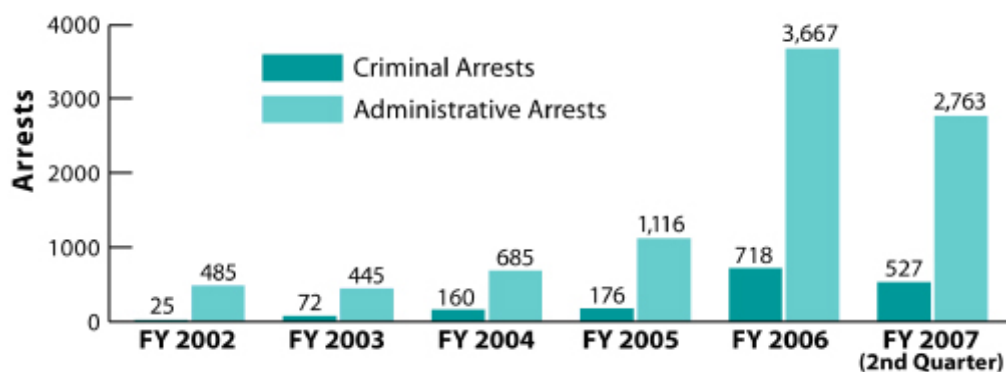
U.S. Immigration and Customs Enforcement (ICE) dramatically enhanced its efforts to combat the unlawful employment of illegal aliens in the United States since its creation in March 2003. ICE's comprehensive strategy for effective worksite enforcement is aimed at promoting national security, protecting critical infrastructure and ensuring fair labor standards.

Under this new strategy, ICE is targeting unscrupulous employers of illegal aliens, seeking to initiate criminal prosecutions and cause asset forfeitures. ICE believes that the serious nature of these actions on culpable individuals will be a more sufficient deterrence to those who may not share the goal of fostering a sound and legal workforce.

### ICE Worksite Enforcement Statistics:

The best measure of this new strategy lies in the number of arrests ICE has made for criminal violations in worksite enforcement investigations. Those arrested include a variety of persons—corporate officers, employers, managers, contractors and facilitators. These arrests also include illegal aliens charged with criminal violations. Aliens have been charged with possession and/or distribution of fraudulent documents, re-entry after deportation or entry without inspection.

Another measure of ICE's new strategy lies in the number of illegal aliens arrested on administrative immigration violations during worksite enforcement investigations. Administrative immigration arrests generally refer to illegal alien workers who are unlawfully present in the United States.



### Criminal Prosecutions vs. Administrative Fines:

In the past, administrative fines often proved to hold little deterrence value for violators. Many employers came to view these fines as simply the “cost of doing business.” Administrative fines were ignored, not paid in a timely matter or mitigated down over several years.

In criminal cases, ICE is often pursuing charges of harboring illegal aliens, money-laundering and/or knowingly hiring illegal aliens. Harboring illegal aliens is a felony with a potential 10-year prison sentence. Money-laundering is a felony with a potential 20-year prison sentence. ICE has found these criminal sanctions to be a far greater deterrent to illegal employment schemes than administrative sanctions.

### **National Security and Critical Infrastructure Worksites:**

In accordance with ICE's homeland security mission, ICE agents prioritize worksite enforcement efforts by focusing on sites related to critical infrastructure and national security. Unauthorized workers employed at sensitive facilities such as nuclear power plants, chemical plants, military bases, defense facilities, airports and seaports pose serious homeland security threats.

These aliens are vulnerable to exploitation by terrorists and other criminals. ICE works with employers in these cases to identify and immediately remove illegal workers from sensitive facilities and locations where they are in a position to cause harm.

### **Traditional Worksite Investigations:**

While worksites with a nexus to national security are priorities for ICE, agents continue to conduct robust investigations at other places of employment. These investigations often uncover egregious criminal violations and widespread abuses. Violations often involve money-laundering, harboring aliens, smuggling aliens, document fraud or some form of worker exploitation.

Illegal workers frequently lack the employment protections afforded those with legal status and are less likely to report worksite safety violations and other concerns. Furthermore, their illegal status leaves them vulnerable to exploitation by unscrupulous employers who may pay them substandard wages or force them to endure intolerable working conditions.

### **ICE's IMAGE Program Assists Employers:**

ICE unveiled the ICE Mutual Agreement between Government and Employers (IMAGE) program in July 2006. ICE recognizes that the majority of employers in this country want to comply with the nation's immigration laws. Yet, every day employers are confronted with illegal aliens attempting to secure jobs through fraudulent means, including the use of counterfeit documents and stolen identities.

IMAGE fosters partnerships between ICE and businesses, promoting the use of screening tools, best practices, and continuing education to determine employment eligibility based on immigration status.

The program begins with a self-assessment of hiring practices and helps uncover vulnerabilities to illegal activity that are related to immigration status. Technical tools to screen Social Security numbers and other information on job applicants and existing employees are integrated with best practices to lead to a high level of assurance that all of a participating business's employees are legally eligible for employment.

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.