



Homeland
Security

Fact Sheet

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Worksite Enforcement Strategy

- The Department of Homeland Security (DHS) has a vital responsibility to enforce the law and engage in effective worksite enforcement to reduce the demand for illegal employment and protect employment opportunities for the nation's lawful workforce.
 - An effective, comprehensive worksite enforcement strategy must address both employers who knowingly hire illegal workers as well as the workers themselves. Of the more than 6,000 arrests related to worksite enforcement in 2008, only 135 were employers.
 - This week, updated worksite enforcement guidance was distributed to Immigration and Customs Enforcement (ICE), which reflects a renewed Department-wide focus targeting criminal aliens and employers who cultivate illegal workplaces by breaking the country's laws and knowingly hiring illegal workers.
 - Effective immediately, ICE will focus its resources in the worksite enforcement program on the criminal prosecution of employers who knowingly hire illegal workers in order to target the root cause of illegal immigration.
 - ICE will continue to arrest and process for removal any illegal workers who are found in the course of these worksite enforcement actions in a manner consistent with immigration law and DHS priorities. Furthermore, ICE will use all available civil and administrative tools, including civil fines and debarment, to penalize and deter illegal employment.
 - ICE officers will be held to high investigative standards including:
 - ICE will look for evidence of the mistreatment of workers, along with evidence of trafficking, smuggling, harboring, visa fraud, identification document fraud, money laundering, and other such criminal conduct.
 - ICE offices will obtain indictments, criminal arrest or search warrants, or a commitment from a U.S. Attorney's Office (USAO) to prosecute the
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targeted employer before arresting employees for civil immigration violations at a worksite.

- Existing humanitarian guidelines will remain in effect, impacting worksite enforcements involving 25 or more illegal workers. This reflects a change from the previous threshold of 150.
- DHS is committed to providing employers with the most up-to-date and effective resources to comply with our nation's laws.
- DHS will continue to work with partners in the public and private sectors to maintain a legal workforce through training and employee verification tools like E-verify, which improve the accuracy of determinations of employment eligibility and combat illegal employment
- As a former border state Governor, Napolitano signed into law one of the toughest employer sanctions laws in the country in 2007 to target employers who knowingly hired illegal workers.

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