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**This Immigration Update<sup>©</sup> from FosterQuan, LLP contains important information regarding the following:**

### **ICE ISSUES 1,000 NEW FORM I-9 NOTICES OF INSPECTION**

On Wednesday, June 15<sup>th</sup>, U.S. Immigration & Customs Enforcement (ICE) issued 1,000 Notices of Inspection to employers across the United States. By law employers have 3 days following receipt of the notice to respond and produce the employer's original Forms I-9 Employment Eligibility Verification documents for review by ICE officers. Employers receiving such a Notice (or subpoena) should contact qualified immigration counsel immediately for assistance in responding to the Notice of Inspection.

In years past, and as recently as February 2011, ICE issued such notices in high volume, sometimes targeting particular industries or employers against whom complaints may have been filed. Sometimes notices appeared to be issued randomly. In each case, the notices have been served on the same day or within a few days, and without prior warning.

This most recent ICE initiative follows closely on the heels of the revised Form I-9 Employer Handbook (M-274), which was revised significantly in January 2011, and then again in June. The most recent June revisions include minor changes related to refugees, asylees, and some other classes of nonimmigrants including citizens of the Federated States of Micronesia and the Republic of the Marshall Islands who have work authorization incidental to their status. Also included was the addition of a new category as evidence of work authorization applicable to employees located in the Commonwealth of the Northern Mariana Islands (CNMI), "Category 240P." This is a category previously issued by CNMI Attorney General under certain circumstances and authorizes the permit holder to work.

Employers receiving a Notice of Inspection should contact their FosterQuan immigration attorney immediately for assistance in preparing an appropriate response. As always, FosterQuan will continue to monitor ICE enforcement initiatives and will provide additional information via our firm's [website](#) and future Immigration Updates<sup>©</sup> as appropriate.