

Companies Pay Millions for Hiring Illegal Immigrants

Susan Carrol, Houston Chronicle

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When U.S. immigration agents scoured the hiring paperwork on file at Advanced Containment System Inc. last year, they found identification cards supposedly issued by the "Texas Department of Safety."

Words including "identification" and "department" were misspelled. One ID card even had the words "novelty item" typed on the back.

Some 44 percent of the company's Houston workforce from 2005 to 2009 was in the country illegally and was paid an estimated \$2 million during that time, the audit showed.

On Tuesday, U.S. immigration officials and federal prosecutors announced they had reached a \$2 million settlement with [ACSI](#) in exchange for avoiding criminal prosecution.

A second Houston company, Champion Window, also has agreed to forfeit \$2 million to the government after an audit last year found 269 of its 451 workers - roughly 60 percent of its workforce - lacked legal status.

"Each company is forfeiting a substantial amount of money," said [Robert Rutt](#), special agent in charge of Immigration and [Customs Enforcement-Homeland Security Investigations](#) in Houston. "It sends a message that these actions - while not criminally prosecuted - still have consequences."

The deals are part of the Obama administration's strategy to target employers who knowingly hire illegal immigrants, rather than staging high-profile workplace raids. In the 2010 fiscal year, U.S. immigration officials' worksite probes resulted in a record \$36.6 million in judicial fines, forfeitures and restitutions.

Gordon Quan, a Houston immigration attorney whose firm specializes in advising businesses on compliance with the law, said many companies have started taking a harder look at their hiring paperwork.

"There is a lot of concern out there," Quan said. "I think for a long time, people thought it was no big deal, the government wasn't checking these things. Now I see more and more personnel people taking this very seriously."

The investigation into ACSI dates to 2008, when a former employee complained that he was being pressured to hire illegal immigrants. The company, which manufactures emergency decontamination equipment used by the U.S. military, ran its workers through the government's E-Verify program in November 2009 and fired suspected illegal immigrants on its payrolls, records show.

Auditors who examined the company's I-9 employment paperwork in February 2011 found "egregiously suspect" identification documents on file for many workers.

ACSI did not respond for comment Tuesday.

Authorities said Champion managers falsely attested on I-9 forms that identification used by new hires appeared to be "genuine." After an audit last year found the bulk of its workers were illegal, the company fired them, federal officials said.

Champion officials said last fall that the firings, and the difficulty finding experienced workers, contributed to its decision to close the manufacturing portion of its Houston plant in December.

In May, the government also audited Champion's parent company, Atrium Companies, one of the nation's largest manufacturers of windows and patio doors.

The audit of Atrium's other subsidiaries found about 8 percent of the total 3,382 employees were undocumented.

"We are pleased that this investigation has been fully resolved to the government's satisfaction and each employee now holds proper work authorizations," said [Kevin O'Meara](#), chairman and chief executive officer of Atrium.

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