



U.S. DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Russell Federal Annex
77 Forsyth St., SW, Room G-85
Atlanta, Georgia 30303

Tom Thomas
Director, Public Relations

IMMIGRATION REFORM AND CONTROL ACT OF 1986

The Immigration Reform and Control Act of 1986 is the most comprehensive reform of our immigration laws since 1952. In recent years, our nation has been increasingly affected by illegal immigration. This law preserves our tradition of legal immigration while closing the back door to illegal entry.

Employment is often the magnet that attracts persons to come to or stay in the United States illegally. The purpose of the law is to remove the magnet by requiring employers to hire only citizens and aliens who are authorized to work here

Employers verify the work eligibility of their employees by completing the Immigration Form I-9. This form requires employers to do five things:

1. Have employees fill out their part of the form when they start work;
2. Check documents (such as drivers licenses and birth certificates) which establish the employees' identity and eligibility to work;

Properly complete the Form I-9;

4. Retain the Form for at least three years; and
5. Present the Form for inspection upon request.

Civil and criminal penalties can result for failing to comply with these requirements. Fines range from \$200 to \$10,000. In fact, between June 1 and July 20, 1988, the INS issued 55 fine notices and assessed nearly \$600,000 in fines. It is still the intention of INS, however, to encourage employer cooperation and compliance, rather than seeking penalties. To date, the Immigration Service has made educational visits to more than 1.2 million employers.

Going hand in hand with employer sanctions is welfare reform -- getting people off the welfare rolls and into jobs. INS has created the LAW Program, which stands for Legally Authorized Workers. This program is designed to help employers replace illegal aliens with legal workers. For example, if INS discovers illegal aliens at a workplace and the employer terminates them, the employer will then need to fill the vacant positions. The INS, using various contacts, can place job developers and social agencies wishing to place persons in the job market in touch with employers needing to replace illegal alien labor with legal workers. The Immigration Service is not in the job placement business, but INS can be a catalyst in uniting legal workers and employers in need of labor.

"American jobs for American citizens and legally authorized workers," is the theme of the law.

So where do employers needing a legal workforce look for help? The INS suggests contacting state employment commissions, the U.S. and state Departments of Labor, local farm bureaus, 4-H clubs in agricultural communities, and even employment agencies.

Encourage eligible aliens to apply for the Special Agricultural Worker (SAW) legalization program. This program provides temporary legal residency to illegal aliens working in an agricultural capacity for 90 days between May 1, 1985 and May 1, 1986. (There is a Nov. 30, 1988 deadline for application under this program.)

The Immigration Service believes it can really make some strides toward helping the unemployed and reforming welfare.

American jobs for American citizens. American jobs for legally authorized workers. That's what the Immigration Reform and Control Act is all about.