

**ALERT**

## **IMMIGRATION**

March 2008

# State, Federal Governments Continue Heightened Focus on Immigration Issues

Immigration continues to be a hot topic on the state and federal levels as the Indiana General Assembly gets closer to final passage of key legislation and the federal government announces higher fines for worksite enforcement.

On the state level, a bill recently approved by the Indiana House of Representatives that would institute penalties for any employers that knowingly hire illegal immigrants is headed for a conference committee to work out differences with a similar Indiana Senate bill. Both versions would impose fines for knowingly hiring illegal immigrants, leading to eventual revocation of a company's business license for repeat violations. Other states throughout the country also have either passed or are considering similar legislation.

Meanwhile, two federal agencies recently announced higher fines for employers who don't comply with federal immigration laws, effective March 27. The Department of Justice and the Department of Homeland Security (DHS) have raised by 25 percent (on average) the civil penalties for employers "that violate the Immigration and Nationality Act."

Violations would be imposed on businesses that are "knowingly employing unauthorized foreign nationals; not complying with the requirements on employment eligibility verification forms; wrongfully discriminating against job applicants or employees based on nationality or citizenship; or immigration-related fraud," according to the new rules.

DHS also announced that it will soon publish a revised "no match" rule and a rule that requires federal contractors to use the E-Verify system.

Barnes & Thornburg attorneys will continue to monitor these state and federal developments. For more information, contact Mariana Richmond, chair of the firm's Immigration Practice Group at 317-2317476 or the labor and employment lawyers in the following offices: Kenneth J. Yerkes, Chair (317-231-7513); Norma W. Zeitler, Chicago (312-214-8312); Eric H.J. Stahlhut, Elkhart (574-296-2524); Mark S. Kittaka, Fort Wayne (260-425-4616); Michael A. Snapper, Grand Rapids (616-742-

3947); Peter A. Morse, Indianapolis (317-231-7794); Kathleen K. Brickley, South Bend (574-237-1105); and Carolyn Doppelt Gray, Washington, D.C. (202-371-6364).

More information is available at [www.btlaw.com/laborandemploymentlaw](http://www.btlaw.com/laborandemploymentlaw).

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