

# 46th Annual Conference on Immigration and Nationality Law

September 29, 2022



## Site Visits and Audits – Preparing for the Epilogue

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## Reverse Engineering Immigration Applications/Filings for Benefits

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Before Filing any application for a benefit consider:

- Enforcement agencies
- Data reviewed and shared
- Accuracy of intake process
- Social media and internet footprint
- Prior compliance

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## Agencies to Keep in Mind

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- Department of Labor – including W & D
- Department of State – DSS
- USCIS – FDNS
- ICE and HSI
- CBP
- DOJ- IER

## FRAUD and its Multiple Flavors

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- Willful or Knowing Misrepresentation of Material Facts
- Document Fraud/Identity Theft
- 18 USC §1001
- 18 USC §§1541–1547
- 18 USC §1621
- 8 USC §1324c

# Consequences of Fraud

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- Visa Revocation/Cancellation
- Revocation of Petition/Benefit Approval
- Suspension of PERM processing (employer/attorney/agent)
- Fines and/or imprisonment for up to Five years
- Debarment (employer/attorney/agent)
- Back Wages, Reinstatement, Return of Illegal Payments

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## Declarations and Audits – I-129

**Part 7. Declaration, Signature, and Contact Information of Petitioner or Authorized Signatory (Read the information on penalties in the instructions before completing this section.)**

Copies of any documents submitted are exact photocopies of unaltered, original documents, and I understand that, as the petitioner, I may be required to submit original documents to U.S. Citizenship and Immigration Services (USCIS) at a later date.

I authorize the release of any information from my records, or from the petitioning organization's records that USCIS needs to determine eligibility for the immigration benefit sought. I recognize the authority of USCIS to conduct audits of this petition using publicly available open source information. I also recognize that any supporting evidence submitted in support of this petition may be verified by USCIS through any means determined appropriate by USCIS, including but not limited to, on-site compliance reviews.

If filing this petition on behalf of an organization, I certify that I am authorized to do so by the organization.

I certify, under penalty of perjury, that I have reviewed this petition and that all of the information contained in the petition, including all responses to specific questions, and in the supporting documents, is complete, true, and correct.

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"Site Visits and Audits"