



Department of Justice

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Northern District of Georgia

FOR IMMEDIATE RELEASE

11/18/09

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ATTORNEY PLEADS GUILTY TO FILING FALSE IMMIGRATION DOCUMENTS

Lawyer Helped Clients Obtain Legal Status Through Fraud

ATLANTA, GA - SAI HYUN LEE, 63, of Duluth, Georgia, pleaded guilty today in federal district court to one count of filing a false document with the United States Department of Labor in a fraudulent effort to assist a client in obtaining legal status in the United States.

“Immigration fraud poses a severe threat to national security and public safety because it creates a vulnerability that may enable terrorists, criminals, and illegal aliens to gain entry to and remain in the United States,” said Kenneth Smith, Special Agent in Charge of ICE's Office of Investigations in Atlanta. “ICE will continue using its Document and Benefit Fraud Task Forces to target unscrupulous attorneys who knowingly circumvent our immigration laws and procedures for financial reasons.”

Daniel R. Petrole, Acting Inspector General, United States Department of Labor, stated: “Today’s guilty plea is the result of a successful collaboration between the Office of the United States Attorney, ICE, and the Department of Labor - Office of Inspector General. This investigation uncovered an immigration lawyer who sought to personally profit by defrauding the foreign labor certification process. My office is committed to working with the Document Benefit Fraud Task Force to bring to justice individuals who perpetrate these crimes.”

According to Acting United States Attorney Sally Quillian Yates, the charges and other information presented in court: LEE, who was licensed to practice law in Georgia, charged a client, who was an alien seeking lawful status in the United States, \$25,000 to substitute the client on an approved labor certificate that had been issued to an employer but for a different foreign worker. LEE then assisted her client in using the labor certificate to apply for Lawful Resident Status in the United States based upon employment, with knowledge that the client did not work for the employer and did not intend to work for the employer to which the labor certificate was issued, as is required by federal law. Based upon

the application which fraudulently represented that LEE's client was working in compliance with the approved labor certificate, the client obtained legal status as a Lawful Resident Alien. LEE's client never worked for the employer and the employer was not aware that LEE used the labor certificate to assist her client in obtaining legal status.

Further investigation revealed that LEE assisted at least 16 other aliens in the same way. In some instances, aliens who hired LEE to help them obtain legal status did not know they were supposed to be working for a particular employer when they became legal resident aliens. In many instances, the employers did not know that LEE used labor certificates issued to them to assist her clients in obtaining lawful status through fraud.

U. S. employers who can demonstrate a particular need for a foreign worker may apply to the United States Department of Labor for a labor certification for the foreign worker. Once the employer obtains a labor certification, the employer may apply for an immigrant visa and adjustment of status for the foreign worker. After the approval of the visa application and change of status, the foreign worker is afforded the benefit of lawful permanent residence in the United States and is expected to begin working for the employer who petitioned to bring him to the United States.

LEE pleaded guilty today to a Criminal Information that charges her with one count of submitting a false document to the United States Department of Labor. She could receive a maximum sentence of up to ten years in prison and a fine of up to \$250,000. In determining the actual sentence, the Court will consider the United States Sentencing Guidelines, which are not binding but provide appropriate sentencing ranges for most offenders.

LEE also agreed to forfeit to the United States \$100,000 which represents the fees that she charged the 17 aliens to assist them in submitting fraudulent applications for legal status.

Sentencing is scheduled for February 18, 2010, at 2:30 p.m., before United States District Judge Thomas W. Thrash, Jr.

This case is being investigated by the Immigration and Customs Enforcement (ICE) Document Benefit Fraud Task Force composed of Special Agents with ICE, the United States Department of Labor-Office of the Inspector General, the FBI, the United States Postal Inspection Service, and Fraud Detection/National Security Officers of the United States Citizenship and Immigration Services.

Assistant United States Attorneys William L. McKinnon, Jr., Susan Coppedge and Mary Kruger are prosecuting the case.

For further information please contact Sally Q. Yates, Acting United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick

Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.