



Department of Justice

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ATTORNEY SENTENCED TO FEDERAL PRISON FOR FILING FALSE IMMIGRATION DOCUMENTS

Lawyer Must Also Forfeit Fees Obtained For Assisting Clients in Committing Fraud

ATLANTA, GA - SAI HYUN LEE, 63, of Duluth, Georgia, was sentenced today by United States District Judge Thomas W. Thrash, Jr., to federal prison on charges of filing false documents with the United States Department of Labor and with Citizenship and Immigration Services, in an effort to assist clients in obtaining legal status in the United States by fraudulent means.

“The investigation established that on seventeen occasions SAI HYUN LEE filed false documents to help clients fraudulently obtain lawful status through their employment,” said United States Attorney Sally Quillian Yates. “We expect lawyers to uphold and defend the rule of law, not assist clients in breaking the law. As part of her plea agreement, LEE has given up her license to practice law in the State of Georgia and \$100,000 which represents the fees LEE charged for assisting her clients to commit immigration fraud. Not only is LEE going to federal prison for her crimes, but she has lost both her ability to practice law and the profits she made from the fraud.”

“Quite simply, America's immigration system is not for sale,” said Kenneth Smith, Special Agent in Charge of U.S. Immigration and Customs Enforcement’s Office of Investigations in Atlanta. “The ICE Document and Benefit Fraud Task Force is working closely with its member agencies, to include the U.S. Department of Labor, Office of the Inspector General, the U.S. Department of State and U.S. Citizenship and Immigration Services, as well as other agencies to ensure that those who seek to enrich themselves by compromising the integrity of our nation's legal immigration system pay a price for their crimes.”

LEE was sentenced to one year, one day in prison to be followed by 2 years of supervised release. LEE was also required to forfeit \$100,000, which represents the attorney’s fees that she generated through the fraud scheme. LEE pleaded guilty to the charge on November 18, 2009.

According to United States Attorney Yates, the charges and other information presented in court: 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 the worker to the United States.

LEE, who was licensed to practice law in Georgia, charged one client who was an alien without 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 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 fraudulent application, the client did obtain 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.

The investigation established 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.

This case was investigated by the Immigration and Customs Enforcement (ICE) Document Benefit Fraud Task Force made up of Special Agents with ICE, the United States Department of Labor-Office of the Inspector General, the FBI, and 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 prosecuted the case.

For further information please contact Sally Q. Yates, 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.