

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
COMMONWEALTH OF VIRGINIA
AND THE
IMMIGRATION AND NATURALIZATION SERVICE

I. PARTIES

- A. The Virginia Department of Social Services (DSS), Virginia Employment Commission (VEC), and the Governor's Employment and Training Department (GETD) under the command and control of the Governor of the State of Virginia.
- B. The Immigration and Naturalization Service(INS), an agency of the United States Department of Justice, with jurisdiction over the immigration laws of the United States pursuant to Title 8 of the United States Code. As such, the INS, through the Attorney General, is charged with the administration and enforcement of all laws relating to the immigration and naturalization of aliens.

II. PURPOSE

This Memorandum of Understanding (MOU) sets forth policies and procedures agreed to by the Virginia Department of Social Services (DSS), Virginia Employment Commission (VEC), the Governor's Employment and Training Department (GETD) and the INS, pursuant to the MOU the INS will provide the DSS and the VEC with the names of employers and number of jobs made available due to INS worksite enforcement operations. The DSS and the VEC will then work together to fill these available positions with qualified unemployed or under-employed Virginia residents.

III. BACKGROUND

Pursuant to Section 274A of Immigration and Nationality Act (8 U.S.C. Section 1324a), INS is authorized to investigate complaints concerning the employment of aliens who are not authorized to work. Enforcement of this authority may require the removal by INS of unauthorized aliens from the worksite.

*Effective July 1, 1995 the Commonwealth of Virginia instituted the Virginia Independence Program (V.I.P.). The purpose of the V.I.P. is to gradually remove people from the welfare rolls and place them in employment. The VEC maintains a data bank of all unemployed Virginia residents who have registered with VEC. In addition, the DSS has instituted a program to help prepare welfare recipients for

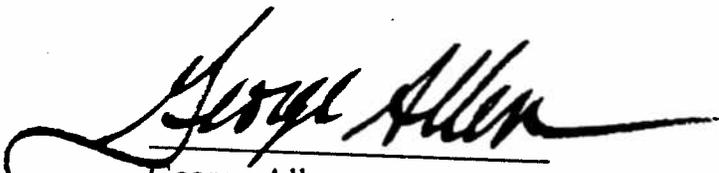
the transition into the workforce. DSS and VEC have executed a joint program for the implementation of the Virginia Independence Program.

IV. SCOPE OF COOPERATION BETWEEN THE PARTIES

- A. The INS agrees to notify the Commonwealth of Virginia when jobs become available due to the removal by INS of unauthorized alien workers from a job site in Virginia. DSS will then notify local and county DSS offices of available jobs. INS will provide the DSS with: 1) the name of the manager, 2) the classification of the available jobs (i.e. labor, service, construction or industry); 3) the location of the place of business and; 4) the number of unauthorized alien workers removed. In addition, INS will notify the employer, that DSS and VEC can be of assistance in replacing the removed workers. The employer will then have the opportunity to contact DSS to coordinate the replacement of those workers, if he or she desires to do so.
- B. The DSS, working in cooperation with VEC, will provide the employer with referrals of qualified workers.
- C. The DSS and VEC will provide statistics, as needed, to INS regarding the number of welfare recipients and unemployed Virginia residents who have filled jobs made available pursuant to an INS worksite enforcement operation.

V. TERMS OF AGREEMENT

This MOU shall become effective upon the signature of the parties below. This MOU shall remain in effect until rescinded by the Commonwealth of Virginia or the INS, upon written notice, to the affected party by certified or registered mail and with return receipt requested. This notice must be mailed at least 90 days prior to the rescission. This MOU may be amended at any time through an express written agreement signed by the parties.



George Allen,
Governor of the
Commonwealth of Virginia



Doris Meissner,
Commissioner, Immigration and
Naturalization Service

October 31, 1996
Date

10 / 31 / 96
Date