



JUL 3 - 2008

The Honorable Bruce L. Braley
U. S. House of Representatives
Washington, D.C. 20515

Dear Congressman Braley:

This is in response to your letter, also addressed to Assistant Secretary of Homeland Security Julie Myers and U.S. Attorney Matt M. Dummermuth, regarding a Department of Labor Wage and Hour Division (WHD) investigation of Agriprocessors, Inc. of Postville, Iowa under the Fair Labor Standards Act (FLSA). The FLSA is the federal law of most general application concerning wages, hours of work, and youth employment.

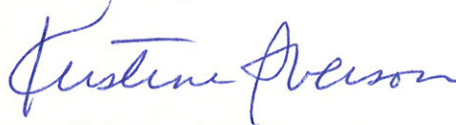
WHD does not provide details about open investigations, nor does WHD disclose the specific reasons for an investigation because such information may adversely affect the case or the privacy of the individuals involved. The Department can confirm that the Des Moines, Iowa, WHD District Office began an investigation of Agriprocessors, Inc. earlier this year for possible violations of the FLSA. As you note, on May 12, 2008, and before completion of our investigation, Immigration and Customs Enforcement (ICE) conducted a worksite raid of the Postville plant. The raid occurred without the prior knowledge or participation of WHD. In fact, after learning of the raid from news reports, WHD's district office intervened to ensure that workers received their last paychecks. Also, following the raid, the Department learned that DOL's Office of Inspector General (OIG) may have participated in ICE's enforcement action. The Department subsequently confirmed with the OIG that no advance notice was given to WHD or any other DOL agency prior to the raid. Any questions regarding the OIG's involvement would need to be directed to that office.

Please be assured that the Department of Labor is committed to the full and fair enforcement of all laws for which it is responsible. Although the immigration enforcement action by ICE changes the complexion of WHD's investigation, it should not prevent WHD from completing its investigation. WHD's District Office is working in cooperation with the U.S. Attorney and the State of Iowa to protect the rights of the workers and properly enforce the applicable laws. This effort includes sharing information and interviewing employees of Agriprocessors in ICE's custody. In addition, WHD and ICE

continue to operate in accordance with the 1998 Memorandum of Understanding executed by the Departments of Labor and Justice. I am enclosing a copy of that Memorandum for reference.

Thank you for your inquiry.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kristine Iverson". The signature is fluid and cursive, with the first name "Kristine" and the last name "Iverson" clearly distinguishable.

Kristine A. Iverson

Enclosure