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## California Chinese Restaurant Owners Plead Guilty to Employing Illegal Aliens



Written by Imperial Valley News

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Sacramento, California - The owners of two area Chinese restaurants pleaded guilty today to criminal charges stemming from an investigation by U.S. Immigration and Customs Enforcement (ICE) into allegations they knowingly hired illegal aliens to work at their establishments.

Rui Yang Lin, 48, Bi Xia Ni, 46, Fa Yong Ni, 48, and Ru Shu Ren, 26, all of Vacaville, Calif., pleaded guilty today before United States District Judge Morrison C. England Jr. to unlawful employment of illegal aliens. In addition, Rui Yang Lin and Bi Xia Ni pleaded guilty to concealment of a felony.

The defendants operate two Asian-style buffet restaurants, King's Buffet in Vacaville and the Empire Buffet in Vallejo. Rui Yang Lin was a manager at the Empire Buffet. The listed owner of the business was Rui Yang Lin's daughter; however, Rui Yang Lin and his wife, Bi Xia Ni oversaw most of the day-to-day operations at the restaurant.

As managers of Empire Buffet, Rui Yang Lin and Bi Xia Ni admitted they hired and assisted in the hiring of employees they knew were illegal aliens. According to the plea, from March 2008 until September 2008, the Empire Buffet hired at least 12 undocumented workers and the practice was part of a pattern of activity by the business.

Until the summer of 2008, Rui Tao Lin (another defendant who did not plead guilty today) owned the King's Buffet, in Vacaville, California. Along with Ru Zhu Ren, Rui Tao Lin managed the restaurant. Beginning in the summer of 2008, Ru Zhu Ren started the process of purchasing King's Buffet from Rui Tao Lin. As the owner of King's Buffet, Rui Tao Lin hired and assisted in the hiring of workers he knew were illegal aliens. According to the plea agreement, from at least June 2006 until September 2008, Rui Tao Lin hired at least 13 undocumented employees and the pattern continued when Ru Zhu Ren started taking over.

In hiring undocumented aliens to work at the two restaurants, the businesses would contact an employment agency in Los Angeles to recruit Asian employees. Other employees, typically from Mexico and Central America, responded to "help wanted" notices placed in the businesses.

In order to accurately account for wage and employment taxes, California law requires employers to submit quarterly wage reports to California Employment Development Department. From April 20, 2007, to July 20, 2008, Empire Buffet's owner signed nine EDD wage reports that did not account for all of the employees working at Empire Buffet. By failing to list these undocumented aliens, the Empire Buffet was able to increase revenue at the business by hiding wage and tax information from the State of California. According to the plea, Rui Yang Lin and Bi Xia Ni were aware of the requirement to accurately complete the EDD forms, yet they submitted wage reports they knew were false.

"This case serves as a stern reminder about the consequences facing employers who exploit illegal alien labor and violate our nation's laws," said Daniel Lane, assistant special agent in charge of the ICE Office of Investigations in Sacramento. "Businesses that use illegal alien workers to gain an economic advantage over their competition must understand they will potentially pay a price for those unlawful practices."

In 2008, ICE made more than 1,100 criminal arrests tied to work-site enforcement investigations. Of those charged criminally in these types of cases, 130 were business owners, managers, supervisors, or human resource employees. Altogether, ICE work-site investigations yielded 881 criminal convictions last fiscal year for crimes ranging from alien harboring and knowingly hiring illegal aliens, to identity theft and Social Security fraud. In addition to the criminal arrests, ICE also took 5,100 illegal aliens into custody on administrative immigration violations during work-site investigations.

To help employers build a legal workforce, the U.S. Department of Homeland Security has an initiative called the ICE Mutual Agreement between Government and Employers or IMAGE. IMAGE is designed to build cooperative

relationships between the government and businesses, strengthen hiring practices, and reduce the unlawful employment of illegal aliens. The initiative also seeks to gain greater industry compliance and corporate due diligence through enhanced training and education of employers. ICE strongly encourages employers to review IMAGE program materials available at [www.ICE.gov](http://www.ICE.gov).

The defendants are scheduled to be sentenced January 8, 2009. The maximum penalty for hiring illegal aliens is six months in prison and a fine of \$3,000 for every alien unlawfully employed. The maximum penalty for concealing a felony is three years in prison and \$250,000 fine.