

HR Training

ICE, Immigration, & Form I-9

Brought to you by:

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Form I-9 Basics

- ❑ The Department of Homeland Security mandates that all US employers use Form I-9 to verify Employment Eligibility for newly hired employees.
- ❑ Every new employee must complete **Section 1** of the I-9 on (or before) their **first day** of employment.
- ❑ Employers must then review their valid ID(s) and complete **Section 2** no later than the **third day** of their employment

Form I-9 Inspections (Audits)

- First half of 2025, NOI issued at **10x higher rate** than same period 2024
- Second half of 2025 (OBBBA):
 - \$8 billion allocated to hire **10,000 new auditors by 2029**
 - Total ICE budget ~\$10B/yr for past 10+ years. Now > \$85B/yr
- ICE field offices now operate under **inspection quotas** (per quarter)

Types of I-9 visits vary:

1. NOI - Notice of Inspection (Audit)
2. Casual, voluntary Q & A

Promoting E-Verify+ and the IMAGE program

3. Worksite Enforcement Investigation (“Raid”)

Preparing for an ICE Visit

1. Conduct an I-9 Assessment
2. Determine Next Steps
3. Create an Emergency Response Plan



1. Conducting an I-9 Assessment

Form I-9 Assessment

Part one – Quick Review

- Gather a list of all active employees
- Find and review form I-9 for each active employee
- Do you have a form for each employee? Are both sections fully completed? Any obvious errors or issues?

Form I-9 Assessment

- After your quick assessment, determine if you need outside help
- Making **any** changes to the form requires creating an audit trail
- Next, we will review the actual form



Employment Eligibility Verification
 Department of Homeland Security
 U.S. Citizenship and Immigration Services

**USCIS
 Form I-9**
 OMB No. 1615-0047
 Expires 05/31/2027

START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the [Instructions](#).

ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in Section 1, or specify which acceptable documentation employees must present for Section 2 or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.

Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.

Last Name (Family Name)		First Name (Given Name)		Middle Initial (if any)	Other Last Names Used (if any)						
Address (Street Number and Name)			Apt. Number (if any)	City or Town		State ▼					
ZIP Code		Date of Birth (mm/dd/yyyy)		U.S. Social Security Number	Employee's Email Address	Employee's Telephone Number					
<p>I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.</p>											
<p>Check one of the following boxes to attest to your citizenship or immigration status. (See page 2 and 3 of the instructions.)</p> <p><input type="checkbox"/> 1. A citizen of the United States</p> <p><input type="checkbox"/> 2. A noncitizen national of the United States (See Instructions.)</p> <p><input type="checkbox"/> 3. A lawful permanent resident (Enter USCIS or A-Number.)</p> <p><input type="checkbox"/> 4. An alien authorized to work until (exp. date, if any)</p>											
<p>If you check Item Number 4, enter one of these:</p> <table border="0"> <tr> <td>USCIS A-Number</td> <td>OR</td> <td>Form I-94 Admission Number</td> <td>OR</td> <td>Foreign Passport Number and Country of Issuance</td> </tr> </table>							USCIS A-Number	OR	Form I-94 Admission Number	OR	Foreign Passport Number and Country of Issuance
USCIS A-Number	OR	Form I-94 Admission Number	OR	Foreign Passport Number and Country of Issuance							
Signature of Employee					Today's Date (mm/dd/yyyy)						

Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

Document Title 1	List A	OR	List B	AND	List C
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)	Additional Information				
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)	<input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.				

Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.

Last Name, First Name and Title of Employer or Authorized Representative		Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)
Employee's Business or Organization Name		Employee's Business or Organization Address, City or Town, State, ZIP Code		

For reverification or rehire, complete [Supplement B, Reverification and Rehire](#) on Page 4.



Employment Eligibility Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No.1615-0047
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START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the [Instructions](#).

ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in **Section 1**, or specify which acceptable documentation employees must present for **Section 2** or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.

Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form I-9 no later than the **first day of employment**, but not before accepting a job offer.

Last Name (Family Name)		First Name (Given Name)		Middle Initial (if any)	Other Last Names Used (if any)		
Address (Street Number and Name)			Apt. Number (if any)	City or Town		State	ZIP Code
Date of Birth (mm/dd/yyyy)		U.S. Social Security Number		Employee's Email Address		Employee's Telephone Number	
I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.		Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):					
		<input type="checkbox"/> 1. A citizen of the United States					
		<input type="checkbox"/> 2. A noncitizen national of the United States (See Instructions.)					
		<input type="checkbox"/> 3. A lawful permanent resident (Enter USCIS or A-Number.)					
		<input type="checkbox"/> 4. An alien authorized to work until (exp. date, if any)					
If you check Item Number 4., enter one of these:							
USCIS A-Number		OR	Form I-94 Admission Number		OR	Foreign Passport Number and Country of Issuance	
Signature of Employee					Today's Date (mm/dd/yyyy)		
If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the Preparer and/or Translator Certification on Page 3.							

Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

List A		OR	List B	AND	List C
Document Title 1					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)		Additional Information <input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.			
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 3 (if any)					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.					First Day of Employment (mm/dd/yyyy): _____
Last Name, First Name and Title of Employer or Authorized Representative			Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)
_____			_____		_____
Employer's Business or Organization Name		Employer's Business or Organization Address, City or Town, State, ZIP Code			
_____		_____			

For reverification or rehire, complete [Supplement B, Reverification and Rehire](#) on Page 4.

I-9 Assessment Notes

- You must have an I-9 for each employee (including leaders!)

- Making changes on the form requires creating an audit trail
 - To correct errors on Form I-9, draw a single line through the incorrect information, enter the correct information nearby, initial, and date the correction.
 - For Section 1 errors, the employee should make the correction
 - For Section 2 errors, the employer/authorized representative should make the correction

I-9 Assessment Notes

- You must keep terminated employees I-9s for 1-3 years
- This is about more than authorization; fines based on accuracy...

Violation Type	2024 Penalty Range	2025 Penalty Range
Form I-9 Paperwork Violations	\$281 – \$2,789	\$288 – \$2,861
Knowingly Employing Unauthorized Workers		
First Offense	\$698 – \$5,579	\$716 – \$5,724
Second Offense	\$5,579 – \$13,946	\$5,724 – \$14,308
Third or Subsequent Offense	\$8,369 – \$27,894	\$8,586 – \$28,619

Previous I-9 fines:

Standard Fine Amount	
Technical Violations	1st Offense
0% – 9%	\$220 2025 = \$288
10% – 19%	\$548
20% – 29%	\$876
30% – 39%	\$1,205
40% – 49%	\$1,534
50% or more	\$1,862 2025= \$2,861



2. Determine Next Steps

I-9 Assessment Follow-up

- Do you need major or minor corrections?

- Do you need outside support? How do you want to move forward?
 - At the very least, make sure forms are in good order
 - Next = best practices



3. Create an Emergency Response Plan

Emergency Response Plan

- Remember, either NOI with subpoenas or informal visits
 - Informal visit or raid?
- NOI = 3 days to produce documents
- “Response team” and “initial contacts”

Initial Contacts

- Be respectful and ask for documents
- Immediately **inform the response team**

Response Team

- Designate who on leadership is going to interact with ICE
- Determine if outside support will be utilized
- Discuss/train both the initial contacts and the response team

Additional Best Practices

- E-Verify and E-Verify+

- Image Program

- What is required by law vs. what ICE wants to see
 - Copies of documents
 - Annual audits, I-9 and Immigration workplace policies, untrained staff



Final Thoughts

Thank you!

You may contact me at

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www.OutrightHR.com