



ICE-PROOF YOUR BUSINESS

The Playbook for Audit-Ready I-9s

Presented by:
Danielle M. Verderosa, SPHR, SHRM-SCP

President, HR
Allies



Today's Agenda

- ICE & I-9 Basics
- 2025 Enforcement Landscape
- Cost of I-9 and ICE Violations
- Completing I-9s Correctly
- Self-Audit Procedures & Correction Protocols
- ICE Inspection Response Strategies



202-734-7272



danielle@hrallies.com



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U.S. Immigration and Customs Enforcement

Form I-9: Verifies identity and employment eligibility of all individuals hired in the United States.

Immigration & Customs Enforcement: Created 2003 under Homeland Security Act.

Mission: Protect the United States from cross-border crime and illegal immigration that threaten national security and public safety.

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U.S. Immigration and Customs Enforcement

Major Function: Enforces employment eligibility via I-9 audits.

Audit Focus Areas: Form retention, I-9 completion accuracy, correction protocols

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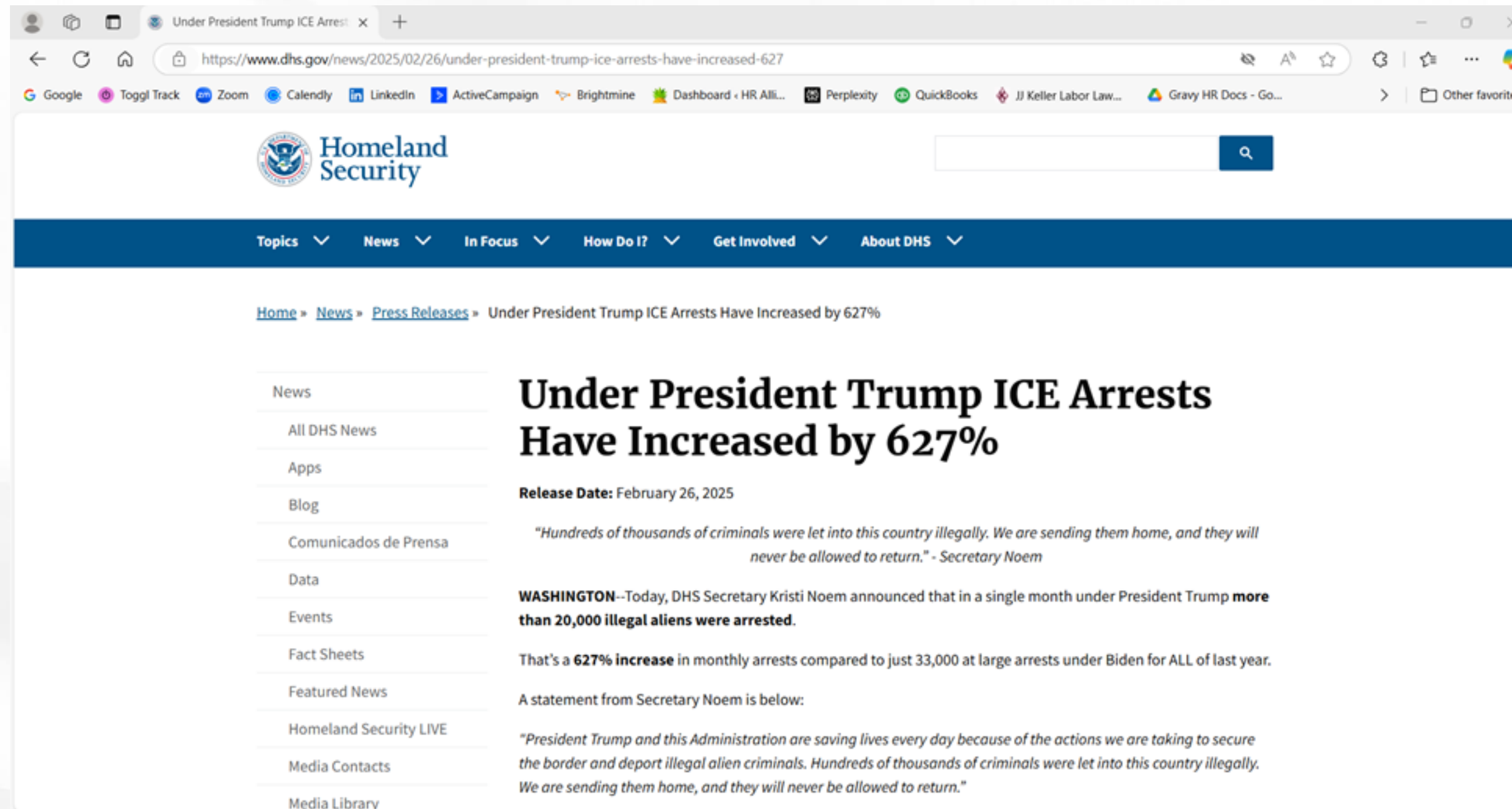


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2025 Enforcement Surge



Under President Trump ICE Arrests Have Increased by 627%

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Release Date: February 26, 2025

"Hundreds of thousands of criminals were let into this country illegally. We are sending them home, and they will never be allowed to return." - Secretary Noem

WASHINGTON--Today, DHS Secretary Kristi Noem announced that in a single month under President Trump **more than 20,000 illegal aliens were arrested.**

That's a **627% increase** in monthly arrests compared to just 33,000 at large arrests under Biden for ALL of last year.

A statement from Secretary Noem is below:

"President Trump and this Administration are saving lives every day because of the actions we are taking to secure the border and deport illegal alien criminals. Hundreds of thousands of criminals were let into this country illegally. We are sending them home, and they will never be allowed to return."



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2025 Enforcement Surge



- 375% increase in I-9 audits since 2017
- Bush/Obama: 3,000 ICE I-9 audits per year
- Trump (First Term) – 12,000 – 15,000 audits per year

Current Priorities: I-9 document integrity, remote workforce compliance, alignment with immigration policy shifts

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Cost of I-9 Violations



- I-9 Errors: \$281–\$2,507 per error
- Knowingly Employing Unauthorized Workers:
Up to \$28,619 per violation
- Total amount of fines depend on violation history, good-faith efforts, and severity of errors
- Annual inflation adjustments apply

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

USCIS
Form I-9
 OMB No.1615-0047
 Expires 07/31/2026

START HERE: Employers must ensure the form instructions are available to employees when completing this form, 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. A noncitizen (other than Item Numbers 2. and 3. above) 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.					

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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) Ride	First Name (Given Name) Sally	Middle Initial (if any) K	Other Last Names Used (if any)
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Address (Street Number and Name) 7555 Draper Ave.	Apt. Number (if any)	City or Town La Jolla	State CA	ZIP Code 92037
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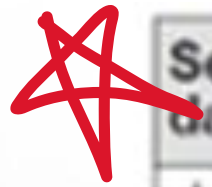
Date of Birth (mm/dd/yyyy) 05/26/1951	U.S. Social Security Number 1 2 3 4 5 6 7 8 9	Employee's Email Address sallyride@email.com	Employee's Telephone Number (555) 555-5555
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<p>I am aware that federal law provides for imprisonment and/or fines for false 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>	Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):		
	<input checked="" 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. A noncitizen (other than Item Numbers 2. and 3. above) 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 <i>Sally Ride</i>	Today's Date (mm/dd/yyyy) Date Employee Completes Section 1
--	---

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 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) Ride	First Name (Given Name) Sally	Middle Initial (if any) K	Other Last Names Used (if any)
--	---	-------------------------------------	--------------------------------

Address (Street Number and Name) 7550 Laurel Ave	Apt. Number (if any)	City or Town La Jolla	State CA	ZIP Code 92037
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Date of Birth (mm/dd/yyyy) 05/26/1951	U.S. Social Security Number 1 2 3 4 5 6 7 8 9	Employee's Email Address sallyride@email.com	Employee's Telephone Number (555) 555-5555
---	---	--	--

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.):

- 1. A citizen of the United States
- 2. A noncitizen national of the United States (See instructions.)
- 3. A lawful permanent resident (Enter USCIS or A-Number.)
- 4. A noncitizen (other than Item Numbers 2. and 3. above) 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 <i>Sally Ride</i>	Today's Date (mm/dd/yyyy)	Date Employee Completes Section 1
--	---------------------------	--

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 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	U.S. Passport							
Issuing Authority	Department of State							
Document Number (if any)	000000000							
Expiration Date (if any)	03/15/2025							
Document Title 2 (if any)		Additional Information						
Issuing Authority		<input checked="" type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.						
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): Date employee began working for pay		
Last Name, First Name and Title of Employer or Authorized Representative Nelson, Bill - Administrator						Signature of Employer or Authorized Representative <i>Bill Nelson</i>		Today's Date (mm/dd/yyyy) Date employer reviewed documents and signed
Employer's Business or Organization Name NASA						Employer's Business or Organization Address, City or Town, State, ZIP Code 300 Hidden Figures Way SW Washington, DC 20024		

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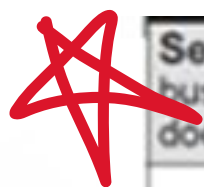
LISTS OF ACCEPTABLE DOCUMENTS

All documents containing an expiration date must be unexpired.
 * Documents extended by the issuing authority are considered unexpired.
 Employees may present one selection from List A or a
 combination of one selection from List B and one selection from List C.

Examples of many of these documents appear in the Handbook for Employers (M-274).

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
<ol style="list-style-type: none"> 1. U.S. Passport or U.S. Passport Card 2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551) 3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa 4. Employment Authorization Document that contains a photograph (Form I-766) 5. For an individual temporarily authorized to work for a specific employer because of his or her status or parole: <ol style="list-style-type: none"> a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: <ol style="list-style-type: none"> (1) The same name as the passport; and (2) An endorsement of the individual's status or parole as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form. 6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI 	OR	<ol style="list-style-type: none"> 1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 3. School ID card with a photograph 4. Voter's registration card 5. U.S. Military card or draft record 6. Military dependent's ID card 7. U.S. Coast Guard Merchant Mariner Card 8. Native American tribal document 9. Driver's license issued by a Canadian government authority <p style="text-align: center;">For persons under age 18 who are unable to present a document listed above:</p> <ol style="list-style-type: none"> 10. School record or report card 11. Clinic, doctor, or hospital record 12. Day-care or nursery school record 	AND	<ol style="list-style-type: none"> 1. A Social Security Account Number card, unless the card includes one of the following restrictions: <ol style="list-style-type: none"> (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION 2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240) 3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal 4. Native American tribal document 5. U.S. Citizen ID Card (Form I-197) 6. Identification Card for Use of Resident Citizen in the United States (Form I-179) 7. Employment authorization document issued by the Department of Homeland Security <p style="font-size: small; margin-top: 5px;">For examples, see Section 7 and Section 13 of the M-274 on uscis.gov/i-9-central.</p> <p style="font-size: small; margin-top: 5px;">The Form I-766, Employment Authorization Document, is a List A, Item Number 4, document, not a List C document.</p>
<p>Acceptable Receipts</p> <p>May be presented in lieu of a document listed above for a temporary period. For receipt validity dates, see the M-274.</p>				
<ul style="list-style-type: none"> • Receipt for a replacement of a lost, stolen, or damaged List A document. • Form I-94 issued to a lawful permanent resident that contains an I-551 stamp and a photograph of the individual. • Form I-94 with "RE" notation or refugee stamp issued to a refugee. 	OR	<ul style="list-style-type: none"> • Receipt for a replacement of a lost, stolen, or damaged List B document. 	OR	<ul style="list-style-type: none"> • Receipt for a replacement of a lost, stolen, or damaged List C document.

*Refer to the Employment Authorization Extensions page on [I-9 Central](#) for more information.



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 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	U.S. Passport				
Issuing Authority	Department of State				
Document Number (if any)	000000000				
Expiration Date (if any)	03/15/2025				

Document Title 2 (if any)	Additional Information
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)	

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.

First Day of Employment (mm/dd/yyyy):
Date employee began working for employer

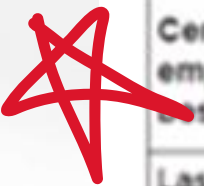
Today's Date (mm/dd/yyyy)
Date employer reviewed documents and signed

Last Name, First Name and Title of Employer or Authorized Representative: **Nelson, Bill - Administrator**

Signature of Employer or Authorized Representative: *Bill Nelson*

Employer's Business or Organization Name: **NASA**

Employer's Business or Organization Address, City or Town, State, ZIP Code: **300 Hidden Figures Way SW Washington, DC 20024**



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Conduct a Self-Audit



- Self-audits do not shield employers from liability for violations ... but they do show “good faith.”
- Do not discriminate - audit everyone’s I-9.
- Notify employees in writing about audit scope and purpose.
- Offer language accommodations for non-English speakers.

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Conduct a Self-Audit

1

Create an I-9 roster with each employee you hired, including start and termination dates.

Need I-9s for everyone 3+ years after the date of hire, or 1 year after date of termination, whichever is later.

2

Review and track errors, like:

- **Missing I-9s**
- **Missing Signatures**
- **Missing Document #s**
- **Incorrect Dates**
- **Outdated Version of I-9**
- **Expired Documents**

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Conduct a Self-Audit

3

Track errors on a spreadsheet or checklists.

4

Classify errors as “technical” or “substantive.”



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Correct or Mitigate the Errors

Technical Errors

- Neat line through the error
- Write correct info close to error
- Initial & date the correction
- Never use white-out or backdate

Substantive Errors

- Complete new I-9 and attach to the original
- Never use white-out or backdate

**Plus -- Write, Sign, and Attach a
"Mitigation Statement"**

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Mitigation Statements

- Acknowledges an error that can't be corrected without fraud
- Put on company letterhead, sign, and date
- Describe the incorrect or missing information plus what action you took to make it better
- Attach to the original I-9

“During an internal audit I conducted in May 2025, I found that we did not obtain an I-9 from Mr. Juan Perez when he was hired on April 16, 2022. Immediately after identifying our error, we had Mr. Perez complete the Form I-9 and we viewed his identification and eligibility documents that appear to be valid.”

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If ICE Arrives



- “Notice of Inspection” delivered by hand, FedEx, or certified mail.
- If you haven’t self-audited, contact your attorney.
- Use full 3-day response period.
- Separate I-9s from personnel files.

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During the ICE Inspection

- Escort agents continuously
- Deny office space requests
- Prohibit employee interviews
- Get receipt for removed documents
- Provide only I-9s + basic employee list
- Require subpoena for other files
- “Blame Your Attorney”



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How High's My ICE-Audit Risk?

www.hrallies.com/i9



**Free 20-
Minute HR
Consultation**

Thank you!



Danielle M. Verderosa,
SPHR, SHRM-SCP



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