

ICE Officials: More Workplace Enforcement and New Form I-9 on the Way

PUBLISHED ON
July 10, 2017

(NOTE: [Barley Snyder](#) Partner David Freedman attended the American Immigration Lawyers Association's annual conference last month and is reporting on some of the news the speakers at the event confirmed.)

What will workplace immigration enforcement look like under the Trump administration? It could involve around 10,000 new immigration enforcement officers nationwide, according to Jack Morris, head of the Department of Homeland Security's Worksite Enforcement Investigations Unit.

Morris, who spoke as part of a workplace enforcement roundtable discussion at the American Immigration Lawyers Association's annual conference in New Orleans last month, couldn't provide a timeline for when the increased enforcement presence will be deployed in the field. [Media reports](#) suggest that the Bureau of Immigration and Customs Enforcement (ICE) is already short more than 1,500 agents. Plus, as Morris noted, it won't be easy to add another 10,000 enforcement agents to the current authorized maximum of 21,000. "That's a lot of I-9s to process," Morris joked. Regardless of when the new agents are on the ground, it's clear that ICE intends to conduct more audits of employers' compliance with the requirements of Form I-9, the government document all employers must use to verify employees' identity and authorization to work legally in United States.

Speaking of Form I-9, ICE Special Agent Scott McCormack, another panel participant, revealed ICE will be issuing an updated version this month. McCormack didn't provide any details about how the new Form I-9 will differ from the earlier version that employers began using just this past January. But he revealed that the new form will be released on July 16 and employers will be required to begin using it by September 17.

These comments suggest what many employers had suspected already: the Trump administration will make workplace enforcement a centerpiece of its immigration policy. It would behoove all employers, but particularly those in high enforcement priority industries-such as food production, agriculture, and hospitality-to review their Form I-9 compliance procedures to ensure they don't find themselves on the wrong end of a compliance audit and fine.

The attorneys in [Barley Snyder's Immigration Law Group](#) are able to assist employers with questions about their Form I-9 procedures and to conduct internal audits to prepare for potential ICE investigations and lessen the risk of fines and other penalties. Interested employers should contact either Silas Ruiz-Steele at sruizsteele@barley.com, or David Freedman at dfreedman@barley.com.

:



David J. Freedman

Partner

Tel: (717) 399-1578

Email: dfreedman@barley.com