



U.S. Immigration and Customs Enforcement

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IMAGE

Frequently Asked Questions What Is IMAGE?



IMAGE is a joint government and private sector voluntary initiative designed to build cooperative relationships that strengthen overall hiring practices. The goal is to help restore the integrity of the immigration system of the United States by utilizing industry outreach and self-policing. ICE has developed this initiative as a new concept for employer self-compliance within the worksite enforcement program.

Why Was the IMAGE Program Started?

An April 1999 Government Accountability Office report entitled “Significant Obstacles to Reducing Unauthorized Alien Employment Exist,” noted that certain industries historically have had a high percentage of illegal aliens in their workforce. ICE recognizes that the highest level of employment integrity can only be achieved through close coordination with industry partners. Furthermore, industry self-policing will allow ICE to focus on other aspects of its homeland security mission. The IMAGE program also serves to foster improved relations with businesses vital to U.S. national interests as part of ICE’s role in critical infrastructure protection.

Is IMAGE an Employment Eligibility Verification System?

The IMAGE program mandates that its members use E-Verify, an online system operated jointly by the Department of Homeland Security and the Social Security Administration, as the first of its 10 best practices. The other best practices go beyond electronic verification to help employers who seek to maintain the integrity of their worksites.

What Are the Benefits of Becoming an IMAGE Member?

Following the prescribed steps of IMAGE could lessen the likelihood that your company is found in violation. IMAGE places an emphasis on self-policing. It can enhance your corporate image by associating it with sound hiring practices, and help to secure the homeland by reducing opportunities to inadvertently hire unauthorized workers. IMAGE participation may be

considered a mitigating factor in the determination of civil penalty (fine) amounts should they be levied.

What Does ICE Agree to Do as Part of IMAGE?

ICE will look to IMAGE participants to promote industry-wide participation and acceptance of the IMAGE program. ICE will review IMAGE participants' hiring and employment practices/policies and recommend to companies ways to correct compliance issues. ICE will identify schemes used to circumvent hiring and employment processes. ICE will work collaboratively with employers whenever it discovers minor and isolated potential misconduct. ICE will attempt to minimize disruption of business operations resulting from a company's self-disclosure of possible violations. ICE will keep the related information confidential to the extent permitted by law and regulation.

What Kinds of Additional Work Will IMAGE Participants Be Required to Perform?

Employers seeking to participate in IMAGE must first agree to submit to an [I-9](#) audit by ICE and, to ensure the accuracy of their wage reporting, verify the Social Security numbers of their existing labor forces, utilizing the [Social Security Number Verification Service \(SSNVS\)](#). All IMAGE participants will agree to use E-Verify for all new hiring. Companies will agree to establish an internal training program covering topics such as [I-9](#), fraudulent identity documents, and E-Verify procedures. Companies will have only trained employees completing the [I-9](#) and performing the E-Verify query and will establish a secondary review process to ensure that a single individual does not subvert the process. Companies will conduct a semiannual [I-9](#) audit by a neutral party and establish a self-reporting procedure to inform ICE of violations or deficiencies. Additionally, companies will establish a protocol for responding to no-match letters from the Social Security Administration.

ICE is requesting that companies establish a tip line for employees to report violations or deficiencies and that employers with more than 50 employees designate a compliance officer to ensure that employment practices are in accordance with IMAGE guidelines.

Once a year, IMAGE participants will report to ICE the number of employees removed and denied employment as a result of IMAGE participation, identify major organizational changes and update their company's point of contact. Participants will immediately report to ICE the discovery or allegations of any substantive criminal violations.

What Is E-Verify?

The E-Verify program, formerly known as Basic Pilot or the Employment Eligibility Verification System (EEVS), is jointly administered by the Department of Homeland Security (DHS) through United States Citizenship and Immigration Services (USCIS) and the Social Security Administration (SSA). This program allows participating employers to verify whether newly hired employees are authorized to work in the United States by checking the information provided by the employees on their Form I-9 against both DHS and SSA databases. Participation in E-Verify is currently free to employers. For more information on this voluntary program, visit the USCIS Web site at <http://www.uscis.gov/everify>.

Why Do I Have to Perform Document Checks?

Section 274A of the Immigration and Nationality Act requires employers to verify that all employees are authorized to work and have established their identities using the Form [I-9](#).

What Happens If I Correctly Complete an [I-9](#) Form and Perform the E-Verify Query and ICE Subsequently Determines the Individual to Be Unauthorized to Work in the U.S.?

If the employee presented the employer with documents that reasonably appeared to be genuine and relate to the employee presenting them, you cannot be charged with a verification violation. This type of circumstance underscores the importance of why ICE is advocating participation in E-Verify for all employers.

You may request an information packet via the [Enrollment Information for Employers](#) form.

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