



Homeland  
Security

MAY 20 2011

MEMORANDUM FOR: Assistant Directors  
Deputy Assistant Directors  
Special Agents in Charge

FROM: James A. Dinkins *[Signature]*  
Executive Associate Director  
Homeland Security Investigations

SUBJECT: Revised IMAGE Program

Homeland Security Investigations has modified the ICE Mutual Agreement between Government and Employers (IMAGE) program in order to make it more attractive and attainable to a broader base of employers. The proposed changes will have minimal impact to current members and will advance IMAGE to better support HSI's mission and help promote a culture of compliance among employers.

The existing IMAGE membership program is extensive, fairly complicated and possibly intimidating to prospective employers. The new structure outlined below seeks to remedy some of the barriers to broader IMAGE participation, most notably, the fear that employers will be heavily penalized during the Form I-9 inspection. A core component of the revision is to have the IMAGE agreement signed at the beginning of the process as opposed to the end. The agreement will establish the terms of the certification process and alleviate fears on the part of the employer that the IMAGE program could expose them to great civil or criminal liability.

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A key to the success of the revised IMAGE program will be aggressive marketing and outreach to solicit employer participation. The headquarters IMAGE program staff, in coordination with the Office of Public Affairs, will be responsible for updating literature and marketing material. The marketing program will highlight the streamlined nature of the new IMAGE program, including a simplified explanation of the requirements:

- (1) Submit to a Form I-9 inspection.
- (2) Enroll in the E-Verify program.
- (3) Establish a written hiring and employment eligibility verification policy that includes internal Form I-9 audits at least once per year.

The benefits of the IMAGE program will also be clearly laid out for employers:

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- Public recognition for obeying the law and hiring legal workers
- Avoidance of law suits and other legal actions resulting from unauthorized employment
- Brand name protection from negative publicity related to unauthorized employment
- Fine mitigation.
- Workforce integrity: Reduce the possibility of internal impropriety and misconduct by company personnel.
- Stabilize your workforce: lower turnover of employees, higher productivity and lower training costs.
- No Form I-9 inspection for a minimum of two years.
- ICE will provide training and guidance on proper hiring procedures and fraudulent document awareness.

The IMAGE Best Employment Practices would remain in place and would still be presented to employers as the elements of a strong immigration compliance program, but would no longer be a requirement for IMAGE certification.