





Audits and Raids: What Happens & How to Prepare

Kevin Robert Lashus, FisherBroyles LLP, Austin, TX

Patrick K. O'Rourke, Harry Gee & Associates, PLLC, Houston, TX



For what reason might ICE target an
employer for an audit or raid?



Start the presentation to activate live content



If you see this message in presentation mode, install the add-in or get help at PollEv.com/app

 Poll Everywhere

INA 274A

- It is unlawful ... to hire, or ... to continue to employ the alien in the United States knowing the alien is (or has become) an unauthorized alien ...
- The person or entity must attest ... on a form ... that it has verified that the individual is not an unauthorized alien

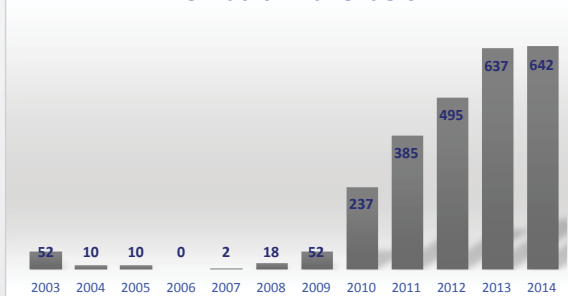
10/26/2017

UT LAW 2017 CONFERENCE

Workplace Criminal Arrests



I-9 Audit Final Orders



- 2006 – Swift raids
 - Over 1,000 ICE police
 - 6 meat plants,
 - 1,297 arrested
- 2008 – Postville raid
 - Over 1,000 ICE police in SWAT gear, helicopters, and SUVs
 - 389 arrested
- Employer I-9 audits, not raids, became the focus under Obama

10/26/2017

UT LAW 2017 CONFERENCE

LATEST COMPLIANCE DEVELOPMENTS

- July 17, 2017 U.S. Citizenship and Immigration Services (USCIS) published a revised version of Form I-9, Employment Eligibility Verification
- By September 18, 2017, employers must use only the new version, dated 07/17/2017. Until then, they can continue to use the version dated 11/14/2016 or the new version.
- The revised form can be completed on a computer. And, if so, it includes drop-down lists and calendars for filling in dates, on-screen instructions for each field, and an option to clear the form and start over.

10/26/2017

UT LAW 2017 CONFERENCE

LATEST COMPLIANCE DEVELOPMENTS

Other changes include:

- The addition of prompts to ensure information is entered correctly.
- The ability to enter multiple preparers and translators.
- A dedicated area for additional information rather than having to use the margins.
- A supplemental page for the preparer/translator.

10/26/2017

UT LAW 2017 CONFERENCE

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Audits and Raids, Part I: What Happens and How to Prepare

Also available as part of the eCourse

[2017 eConference on Immigration and Nationality Law](#)

First appeared as part of the conference materials for the
41st Annual Conference on Immigration and Nationality Law session
"Audits and Raids, Part I: What Happens and How to Prepare"