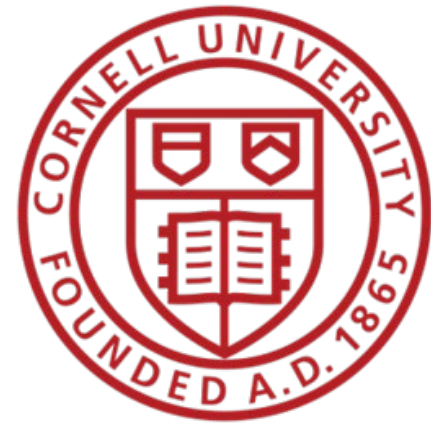


# Preparing for Immigration Enforcement On Your Farm



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# Agenda

- Practical steps farms can take to prepare
  - Documentation and record-keeping considerations
  - Employee communication and trust
  - Management and supervisor readiness
  - What to do (and not do) if enforcement occurs
- Resources available to farmers and farm employees

# Disclaimer

The material presented here is for educational purposes only, it is not legal advice. For specific legal questions, consult a competent labor attorney.



# Authorization to work

The time to prepare is now!

## Overnight Exodus: How An ICE Raid Cut This Dairy's Workforce By More Than Half

A federal audit wiped out Drumgoon Dairy's staff, exposing agriculture's labor crisis. This South Dakota farm's labor struggle highlights the urgent need for immigration reform to sustain the U.S. food supply.



By **Karen Bohnert** · January 21, 2026 11:57 AM

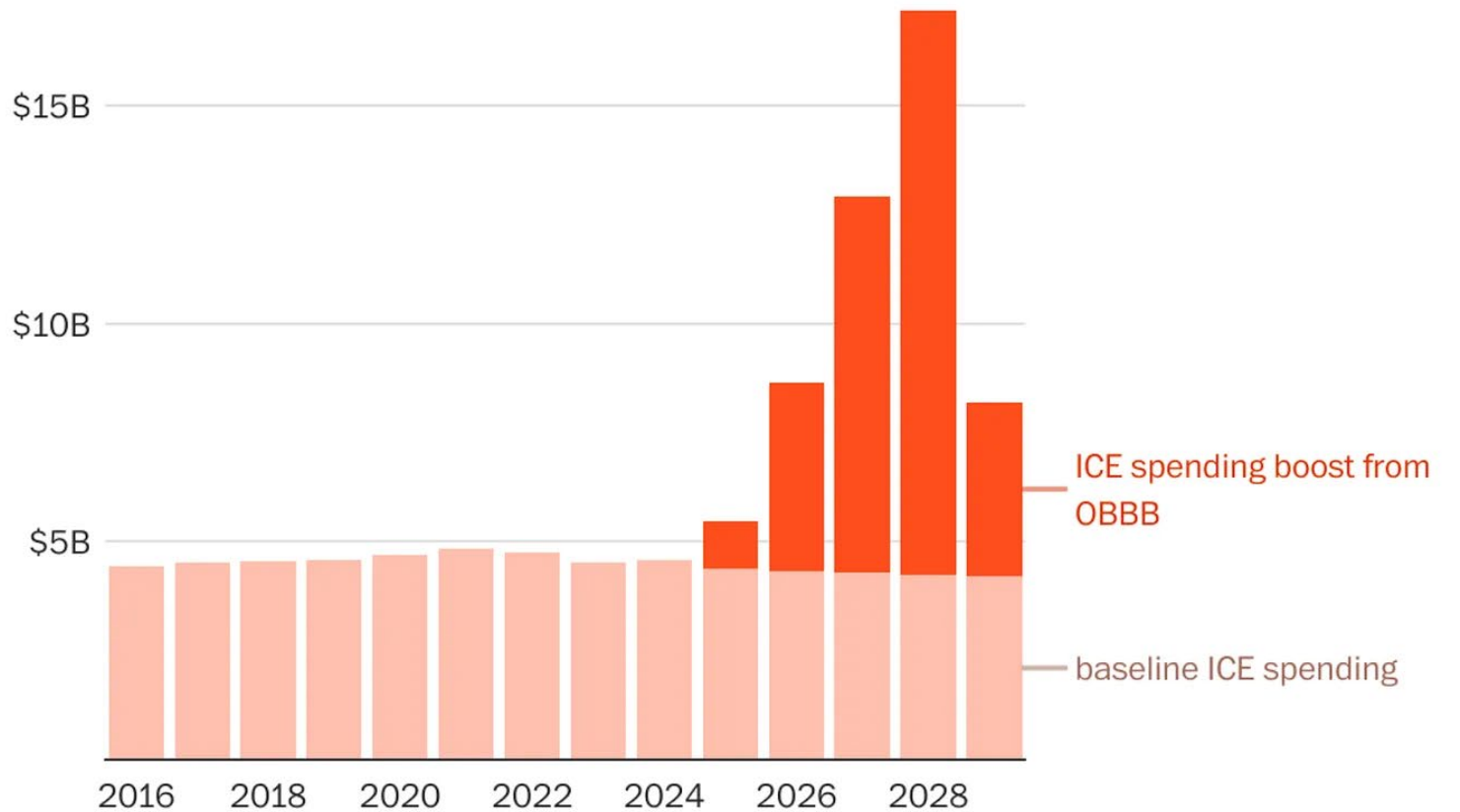


(Photos: Drumgoon Dairy and U.S. Immigration and Customs Enforcement)

# ICE budget and hiring dramatically expanded in new federal budget

## Big Beautiful Bill dramatically increased funding for ICE agents

U.S. Immigration and Customs Enforcement personnel budget authority



Analysis assumes two months' worth of funding is needed for FY2025. Assumes the rest of the money is obligated over Trump's term (and therefore continues partway through January 2029), at same ramp-up rate in CBO's score of the Senate version of the bill. Figures are adjusted for inflation and population growth.

Source: Bobby Kogan, CBO, DHS

# Authorization to Work in the U.S.



U.S. Citizenship  
and Immigration  
Services

- All employers are required to verify that every person they hire is eligible to work in the U.S.
- Employers must view documentation provided by the employee to establish the employee's identity and work authorization. These documents must reasonably appear authentic and must pertain to the employee.
- Download a fresh copy of the I-9 form when you hire a new employee because the form changes frequently.
- Give the Instructions for form I-9 to employees.
  - You can download I-9 instructions in Spanish, and [Form I-9 in Spanish](#).
  - Spanish I-9 can only be used in Puerto Rico, mainland U.S. uses English for all employees

# I-9 Section 1

- Completed by employee
- Must tick a status box
- Enter document number for 3 or 4
- SSN optional unless E-verify
- Sign & date

Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form I-9 no later than the <b>first day of employment</b> , but not before accepting a job offer.				
Last Name (Family Name)		First Name (Given Name)		Middle Initial (if any)
Address (Street Number and Name)		Apt. Number (if any)	City or Town	State
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number		Employee's Email Address	Employee's Telephone Number
<p><b>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.</b></p>		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 <b>Item Numbers 2.</b> and <b>3.</b> above) authorized to work until (exp. date, if any)		
		If you check <b>Item Number 4.</b> , 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 <b>MUST</b> complete the <a href="#">Preparer and/or Translator Certification</a> on Page 3.				

# Preparer/Translator Supplement A

- Completed by preparer/translator on page 3 of I-9.
- "who assists an employee in completing Section 1 of Form I-9"
- Sign and date



## Supplement A, Preparer and/or Translator Certification for Section 1

Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form I-9  
Supplement A  
OMB No. 1615-0047  
Expires 05/31/2027

Last Name (Family Name) from Section 1.	First Name (Given Name) from Section 1.	Middle initial (if any) from Section 1.

**Instructions:** This supplement must be completed by any preparer and/or translator who assists an employee in completing Section 1 of Form I-9. The preparer and/or translator must enter the employee's name in the spaces provided above. Each preparer or translator must complete, sign, and date a separate certification area. Employers must retain completed supplement sheets with the employee's completed Form I-9.

**I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.**

Signature of Preparer or Translator		Date (mm/dd/yyyy)	
Last Name (Family Name)	First Name (Given Name)	Middle Initial (if any)	
Address (Street Number and Name)	City or Town	State	ZIP Code
		▼	

**I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.**

Signature of Preparer or Translator		Date (mm/dd/yyyy)	
Last Name (Family Name)	First Name (Given Name)	Middle Initial (if any)	
Address (Street Number and Name)	City or Town	State	ZIP Code
		▼	

# I-9 Section 2

- Completed by **employer**.
- Directions at top of box states:
  - “Employers...must complete and sign Section 2 within 3 business days...”
  - “...physically examine... documentation from List A OR a combination of documentation from List B and List C...”
- Enter employee’s first day of employment.

**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, or examine consistent with an alternative procedure authorized by the Secretary of DHS, 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				
<b>Document Title 1</b>									
Issuing Authority									
Document Number (if any)									
Expiration Date (if any)									
<b>Document Title 2 (if any)</b>		<b>Additional Information</b>							
Issuing Authority		<input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.							
Document Number (if any)									
Expiration Date (if any)									
<b>Document Title 3 (if any)</b>									
Issuing Authority									
Document Number (if any)									
Expiration Date (if any)									
<b>Certification:</b> 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):			
Last Name, First Name and Title of Employer or Authorized Representative						Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)	
Employer's Business or Organization Name						Employer's Business or Organization Address, City or Town, State, ZIP Code			

# I-9 Lists of Acceptable Documents

- Provide this list to the employee.
- DO NOT require employees to provide specific documents, it's their responsibility.
- Remember: List A...OR...List B and C
- Retaining copies of verification documents is NOT required.

## 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
1. U.S. Passport or U.S. Passport Card		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	1. A Social Security Account Number card, unless the card includes one of the following restrictions:  (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		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	2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph	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. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card	4. Native American tribal document
5. For an individual temporarily authorized to work for a specific employer because of his or her status or parole:  a. Foreign passport; and  b. Form I-94 or Form I-94A that has the following:  (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.		5. U.S. Military card or draft record	5. U.S. Citizen ID Card (Form I-197)
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		6. Military dependent's ID card	6. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		7. U.S. Coast Guard Merchant Mariner Card	7. Employment authorization document issued by the Department of Homeland Security  For examples, see <a href="#">Section 7</a> and <a href="#">Section 13</a> of the M-274 on <a href="http://uscis.gov/i-9-central">uscis.gov/i-9-central</a> .  The Form I-766, Employment Authorization Document, is a List A, <b>Item Number 4.</b> document, not a List C document.
		8. Native American tribal document	
		9. Driver's license issued by a Canadian government authority	
		<b>For persons under age 18 who are unable to present a document listed above:</b>	
		10. School record or report card	
		11. Clinic, doctor, or hospital record	
		12. Day-care or nursery school record	

# Consequences of Non-Compliance



- Civil fines and/or criminal penalties (when there is a pattern or practice of violations).
- Fines for I-9 paperwork violations: \$230–\$2,292 per violation
- Civil violations include: \$698-1<sup>st</sup> violations, up to \$27,894 for 3<sup>rd</sup> violations
  - Knowingly hired, or to have knowingly recruited or referred for a fee, an unauthorized noncitizen for employment in the United States or to have knowingly continued to employ an unauthorized noncitizen in the United States.
  - Failing to comply with Form I-9 employment verification requirements.
  - Committing or participating in document fraud for satisfying a requirement or benefit of the employment verification process or the INA.
- Criminal violations can include fines and jail time
  - Engaging in a pattern or practice of hiring, recruiting, or referring for a fee unauthorized noncitizens.

# A repeatable I-9 Process

- [Link to Cornell I-9 Compliance Page](#)

## Cornell Agricultural Workforce Development

agworkforce.cals.cornell.edu

### The I-9 SOP: Verifying Employee Identity and Authorization to Work

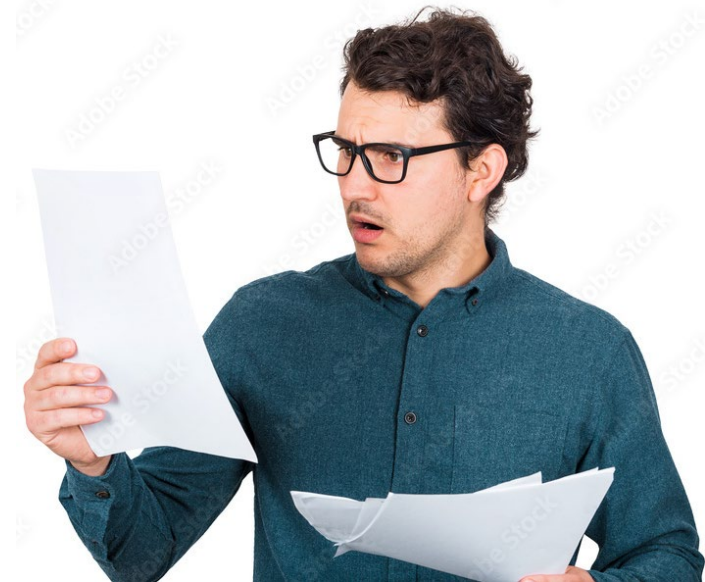
*This is an example Standard Operating Procedure (SOP) for a business process to properly complete U.S. Citizenship and Immigration Services Form I-9 for typical farm employers. Employers should adapt this example SOP to their specific business needs and seek qualified legal counsel as needed. All employers are required to complete and retain form I-9 for all new employees hired after November 6, 1986 to work in the U.S.*

#### **Before the First Day of Employment**

1. Offer a job and receive an acceptance from a job candidate. I-9 can only be completed *after* an offer of employment is extended and accepted.
2. Provide a copy of “USCIS Form I-9” [English version] and a copy of the “Instructions for Form I-9” to your new employee, both forms can be found at <https://www.uscis.gov/i-9>.
3. Direct the employee to page 3 of Form I-9, this page contains the lists of acceptable documents to establish identify and employment authorization. Employees can use a document from List A to establish both identity and authorization, or a document from List B **and** one from List C to establish identity and authorization. **Do not** tell job candidates which documents to provide, this is up to the candidate.

# Employer Responsibilities

- ICE penalties are imposed where the employer: (1) “knowingly” hired or continued to employ an unauthorized worker; or (2) did not complete the I-9 process at all or did so incorrectly.
- Employers are not expected to be forensic document experts.
- Form I-9 instructions: “A document is acceptable if it reasonably appears to be genuine and to relate to the person presenting it.”
- Employers may not request “more” or “different” documents.



# I-9 Retention

- Keep your I-9s for the **longer** of the following:
  - 3 years after employee hire date, or
  - 1 year after the termination date
- Shred old I-9s that you don't need to keep, they are a liability to you



# Enforcement, Raids and I-9 Inspections



# ICE Investigations: Control the Controllables

- Remain calm
- Create a response plan
- Train your team
- Develop a support network
  - Labor attorney
  - PR support
- Build a backup labor plan: what would you do if half your workforce was removed?



# I-9 Self Audits

- Be sure you have an I-9 for every employee
- DIY or hire a competent professional
- [ICE list of common mistakes](#)



# Correcting Errors in I-9s

- Employee (section 1) or employer (section 2) should:
  1. Draw a line through the incorrect information
  2. Enter the correct or missing information
  3. Initial and date the correction
- For multiple errors, complete a new I-9 and attach it to the old, incorrect I-9 and a written explanation of why you completed a new form.
- Do not conceal errors by erasing text or using correction fluid.

# Plan and Prepare for Enforcement

- Plan ahead and train your team.
- Have a relationship with an attorney who can help.
- Use signage to indicate private areas.
- Practice with your team.



# I-9 Inspections

- Employers have the right to 3 days to prepare paperwork after Notice of Inspection, they may ask for:
  - I-9's, copy of the employer's payroll, list of active and terminated employees, articles of incorporation, business licenses, etc.
- Provide payroll lists but not individual pay records or personnel files – keep the files separate.
- Designate a staff member as primary point-of-contact with agents.
  - Involve your attorney from the beginning
- Employers get 10 days to make corrections when technical or procedural failures are found.



# Outcomes of an I-9 Inspection

- Notice of Inspection Results – clean audit
- Notice of Suspect Documents
  - Give employee an opportunity to address
  - Provide that new information to ICE
- Notice of Discrepancies
- Notice of Technical or Procedural Failures
  - 10 business days to correct
- Warning Notice of “Substantive violations”
- Notice of Intent to Fine



**U.S. Immigration  
and Customs  
Enforcement**

# Routine Enforcement

Prepare staff with a plan to direct visitors to office/owners.

1. Stay calm. Ask for identification and a badge (not just a business card).
2. Ask for a warrant or other authorizing document.
3. Ask for details about who or what the officers are seeking.
4. Alert owners, managers, and attorney.
5. Cooperate but assert employer rights.



# JUDICIAL WARRANTS v. IMMIGRATION WARRANTS

## Judicial vs. Immigration Warrants

- Issued by court or USCIS?
- Signed by judge?
- What is the scope?

Source: [National Immigration Law Center](http://NationalImmigrationLawCenter.org)

AD-11 (Rev. 12/99) Search and Seizure Warrant

UNITED STATES DISTRICT COURT  
for the Eastern District of California

In the Matter of the Search of  
(briefly describe the property to be searched or identify the person by name and address)  
██████████  
Davis, California 95616

Case No. \_\_\_\_\_

**SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer 211-SW-0161EFB

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA  
(Identify the person or describe the property to be searched and give its location)  
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized)  
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before 5-9-2011  
(not to exceed 14 days)

in the daytime 6:00 a.m. to 10 p.m.  at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge \_\_\_\_\_ (name)

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2785 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)  for \_\_\_\_\_ days and to extend to: \_\_\_\_\_  
Until, the facts justifying the later specific date of \_\_\_\_\_

Date and time issued: 4-25-2011  
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA Edmund P. Brennan  
EDMUND P. BRENNAN, U.S. MAGISTRATE JUDGE  
(Print name and title)

Is this the right address?

Is it still current?

Note: only the person, property, & areas specified may be searched

Is it actually signed by a judge?

IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**WARRANT OF REMOVAL/DEPORTATION**

File No: \_\_\_\_\_  
Date: \_\_\_\_\_

To any immigration officer of the United States Department of Homeland Security:

\_\_\_\_\_ (Full name of alien)  
who entered the United States at \_\_\_\_\_ on \_\_\_\_\_ (Place of entry) (Date of entry)

subject to removal/deportation from the United States, based upon a final order by:

an immigration judge in exclusion, deportation, or removal proceedings  
 a designated official  
 the Board of Immigration Appeals  
 a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act \_\_\_\_\_

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of: \_\_\_\_\_

\_\_\_\_\_  
(Signature of immigration officer)

\_\_\_\_\_  
(Title of immigration officer)

THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT

# Responding to a Raid

1. Stay calm. Notify designated employer representatives who may speak to officers.
2. Call your attorney.
3. Officers may act to prevent anyone from leaving the property. Do not resist or attempt to run, this makes matters worse.
4. Officers should produce a search warrant with details about where and for what officers can search. Check details such as: 1. Signed and dated by Judge? 2. Valid timeframe or expired? 3. Scope of search – what documents? where?
5. Owners and employees are not required to answer ICE questions during a raid.
6. Follow agents and take notes – agent's name, what is searched, where, what is taken, etc. – but do not interfere.
7. ICE should leave an inventory of property seized and a list of individuals arrested/detained at the end of a raid. Ask for lists if not provided.
8. Ask ICE agents for contact information about the detention center where employees will be held so you can notify employees' families.

# Helping Employees

New York State Department of Labor helpful resources for immigrants in multiple languages, linked below.

- [New York State Immigrant Resource Guide](#)
- [Know Your Rights with ICE](#)
- [Know Your Rights with ICE \(Spanish\)](#)

## California Resources

- The [Immigrant Legal Resource Center](#) provides an excellent collection of resources called the [Step-by-Step Family Preparedness Plan](#).
- Find it here in Spanish: [Plan de Preparación Familiar](#).

# Know Your Rights

## YOU HAVE THE RIGHT TO:



Remain silent and not answer any questions



Refuse searches or entry without a warrant signed by a judge



Know if and why you are being detained or arrested



Refuse to sign anything and ask to speak with an attorney



Record what is happening to you and others

**If you have contact with an agent, you can give or show them this card.**

## THESE ARE MY RIGHTS.

- ✦ I have the right to remain silent.
- ✦ I do not wish to speak with you or answer your questions.
- ✦ I do not give you permission to enter my home without a warrant signed by a judge.
- ✦ I do not consent to searches of my person, belongings, vehicle, or home.
- ✦ If I am detained, I want to contact my attorney immediately.
- ✦ I refuse to sign anything without advice from an attorney.

# Helping Employees to Prepare

- It is important for immigrants with families or other dependents in the U.S. to have a plan in case of emergency.
- [NYIC family preparedness materails](#)

Know your rights

Emergency contacts

Child care plan: including contacts and guardians

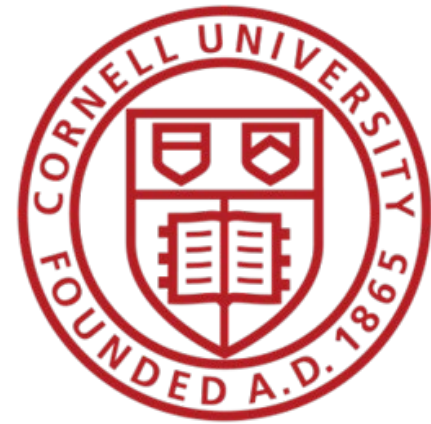
Immigration options

Organize documents

Get travel docs from home country

Enable access tomoney

# Thank you! Questions?



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[agworkforce.cals.cornell.edu](http://agworkforce.cals.cornell.edu)

**REGISTER  
NOW**

# Ag Supervisory Leadership Online Courses

## 3 Courses Available! Registration closes March 5.

**Flagship course!**



### ASL101: Transition to Supervisor (taught in English)

Course materials available: March 6  
Zoom sessions: Thursdays at 11 AM - 12 PM ET  
First Zoom session: March 12  
Last Zoom session: April 16

**Flagship course!**



### ASL101-SP: Transición a Supervisor (taught in Spanish)

Course materials available: March 5  
Zoom sessions: Wednesdays 2 - 3 PM ET  
First Zoom session: March 11  
Last Zoom session: April 15

### ASL104: Staffing and Organizing Your Team (taught in English)

Course materials available: March 6  
Zoom sessions: Thursdays at 3 - 4 PM ET  
First Zoom session: March 12  
Last Zoom session: April 16



Cornell Cooperative Extension  
**AGRICULTURAL  
WORKFORCE  
DEVELOPMENT**

