



# **IMAGE: Protecting Vulnerable Children**

*September 20, 2024*

Fiscal Year 2024 Report to Congress



**Homeland  
Security**

*U.S. Immigration and Customs Enforcement*

# Message from the Deputy Director and Senior Official Performing the Duties of the Director

September 20, 2024

I am pleased to present the “IMAGE: Protecting Vulnerable Children” report, which has been prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to Senate Report 118-85, which accompanies the Fiscal Year 2024 Department of Homeland Security Act (P.L. 118-47).

Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:



The Honorable Mark Amodei  
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Lauren Underwood  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Chris Murphy  
Chair, Senate Appropriations Subcommittee on Homeland Security

The Honorable Katie Britt  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Please direct inquiries to the ICE Office of Congressional Relations at (202) 732-4200.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick J. Lechleitner". The signature is stylized and fluid.

Patrick J. Lechleitner  
Deputy Director and  
Senior Official Performing the Duties of the Director  
U.S. Immigration and Customs Enforcement



# IMAGE: Protecting Vulnerable Children

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# I. Legislative Requirement

This report was compiled in response to language in Senate Report 118-85 accompanying the Fiscal Year (FY) 2024 Department of Homeland Security (DHS) Appropriations Act (P.L. 118-47).

Senate Report 118-85:

*Protecting Vulnerable Children.*—Within 90 days of enactment of this act, ICE shall submit a report to the Committee detailing the costs associated with expanding the Mutual Agreement between Government and Employers (IMAGE), the voluntary employer program, to industries or businesses with a documented history of hiring children in violation of state child labor laws, federal wage and hour rules, or children without lawful permission to work. The report shall include details about how such children would be connected with trafficking victim support or other victim services, as appropriate.

## II. Background

The Mutual Agreement between Government and Employers (IMAGE) program serves the business community by strengthening hiring practices through training and education. Overseen by U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), the program creates a unique partnership where businesses agree to be fully transparent with their employment eligibility verification processes. The IMAGE program helps foster workforce integrity and compliance with the law.

One aspect of the IMAGE program is the audit verification process, where IMAGE members are subject to an Employment Eligibility Verification Form (Form I-9) audit without facing penalties or fines for errors. Employees with document discrepancies or missing documentation are given the opportunity to provide valid documentation that allows them to work legally in the United States. Identifying unauthorized employees does not disqualify a business from becoming a member, although knowingly hiring an unauthorized workforce will disqualify a business from becoming a member. By following the IMAGE program's prescribed steps, businesses go beyond E-Verify's electronic verification to help maintain the integrity of their worksites.

The IMAGE program establishes and maintains these key business partnerships through assigned IMAGE Coordinators. These coordinators conduct outreach efforts at conferences, colleges, and employment sites across the Nation. Annually, each coordinator conducts a minimum of 40 outreach presentations and recruits at least two IMAGE participants. Trainings and guidance are also provided in topics such as anti-discrimination, spotting fraudulent documents, E-Verify, forced labor, and child labor.

HSI recognizes that the highest level of employment integrity can only be achieved through close coordination with industry partners. By establishing hiring practice transparency and training, the IMAGE program also helps to protect minors and migrants from labor exploitation. Furthermore, increased industry self-policing will allow HSI to focus on other aspects of its homeland security mission.

### **A. Mission and Purpose**

The goal of the IMAGE program is to enhance employment eligibility verification compliance, while avoiding discrimination against immigrants who seek employment and are legally eligible to work in the United States. The IMAGE program protects the integrity of the Nation's immigration laws and protects the vulnerable from becoming victims of labor exploitation through training and preventive enforcement. Form I-9 audits, community outreach, training, and media bulletins highlighting information on how to report labor exploitation helps prevent the exploitation of minors and immigrants in the workforce. Member transparency as to their hiring practices, payroll, and Form I-9 processes, along with internal audits, are effective deterrents of labor crimes.

## **B. Program Accomplishments**

The IMAGE program is included in the Secretary's Annual Performance Goals milestones. The milestone states: *By September 30, 2025, HSI will present 880 human trafficking, labor exploitation, child exploitation, and victim assistance outreach and training sessions.* The IMAGE program is on track with its performance measure for FY 2024. As of September 9, 2024, the program has conducted outreach efforts and administered training to 1,337 participants. Trainings and outreaches are conducted by HSI field offices and the Headquarters Labor Exploitation Program (LEP).

Additionally, on May 30, 2023, the IMAGE logo was federally registered as a trademark and became the intellectual property of DHS. IMAGE posters were created with access to information related to the Blue Campaign, anti-discrimination, and guidance on how to report labor exploitation (Spanish version). These posters can be displayed by IMAGE members at each worksite in a location visible to employees.

The IMAGE program also leverages partnerships to focus on victim identification and assistance. On May 26, 2022, the HSI Deputy Executive Associate Director announced the partnership between the HSI Document, Benefit, and Labor Exploitation Unit and the HSI-led DHS Center for Countering Human Trafficking (CCHT) to combat forced labor. The partnership advances the fight against forced labor and labor exploitation in a collective and cohesive manner by leveraging and building upon their unique capabilities. In August 2023, a training was provided to all IMAGE Coordinators and Field Group Supervisors by a multi-agency team with representatives from CCHT, HSI Victim Assistance Program (VAP), Department of Justice Immigrant and Employee Rights Section, DHS Office for Civil Rights and Civil Liberties, and HSI Special Agents who presented case studies with a nexus to labor exploitation and trafficking.

Special Agents and auditors conducting Form I-9 inspections on prospective IMAGE members are trained on how to proceed if, during their inspection, they identify evidence of exploitation or child labor violations. The first mission tenet of HSI's LEP is to protect the public from crimes of victimization and exploitation. IMAGE members or prospective members are not immune from prosecution if evidence of exploitation is developed during or after the enrollment process. HSI Special Agents collaborate and coordinate with HSI VAP personnel, including VAP Specialists and Forensic Interview Specialists, in HSI furtherance of criminal investigations.

## **C. Challenges**

The IMAGE program thrives on the availability of IMAGE Coordinators. However, with competing field office demands, many HSI Special Agent in Charge (SAC) offices have had to reassign IMAGE Coordinators to other groups or programs, thus eliminating the coordinator position. Seven of 30 SAC offices still retain IMAGE Coordinators, but they must contend with competing priorities and limited resources. This has significant program impacts as IMAGE Coordinators are the backbone of the program. The IMAGE program simply cannot survive

without dedicated IMAGE Coordinators to foster and maintain relationships with the business community.

HSI has already seen how the diminished availability of IMAGE Coordinators has impacted the program. A 2023 survey conducted by the Society of Human Resource Managers revealed that only 3 percent of employers reported participating in the IMAGE program. That same survey showed that among those that did not participate, only 6 percent knew about the program. However, 50 percent of responding employers agreed that additional information about the IMAGE program would be beneficial to their organization. This suggests a greater need for IMAGE resources, both to increase awareness of the program and to provide additional training to employers.

### III. Costs Associated with Expanding IMAGE

An estimate of the costs associated with expanding IMAGE include staff and general expenses. Proposed positions and general expenses are depicted below. General expenses include training, software and licenses, equipment and supplies for personnel supporting the IMAGE program, facilities for the increased number of staff, and travel for outreach. The program is scalable, so that it can start small and expand as needed.

HSI will work with state and federal partners to identify industries or business sectors with a documented history of hiring children in violation of state child labor laws, federal wage and hour rules, or children without lawful permission to work. HSI will present the IMAGE program to these businesses. If these businesses qualify to become IMAGE members, HSI will work with these businesses to develop transparency within their hiring practices. If exploitative practices are revealed, HSI will seek all available civil and criminal remedies against them. In addition, HSI will work with its VAP to provide support to any victims encountered.

In order to expand the program, the following would be needed:

21 Positions (\$2.6 million):

- 10 Auditors (GS-0511-9/12)
- 2 Supervisory Auditors (GS-0511-13)
- 4 Management and Program Analysts (GS-0343-9/12)
- 4 Special Agents (GS-1811-14)
- 1 Editor/Writer (GS-1082-9/12)

General Expenses (\$0.4 million):

- \$0.05 million for travel costs to provide training to the IMAGE teams
- \$0.01 million for software and necessary licenses for existing programs and those currently in development
- \$0.15 million for equipment / supplies / vehicles for personnel assigned to the remote IMAGE program
- \$0.03 million for facilities / parking
- \$0.2 million for travel expenses for IMAGE public outreach

In FY 2023 and FY 2024, the IMAGE program was funded at \$25,000. The expansion requirement above would be subject to the availability of funding. The costs discussed above should not be construed as a budget request and do not appear in the FY 2025 President's Budget.



## IV. Conclusion

This report details both the need and costs for expanding the IMAGE program to industries or businesses with a documented history of hiring children in violation of state child labor laws, federal wage and hour rules, or children without lawful permission to work. IMAGE is a valuable tool that provides a plethora of benefits to employers, but most importantly creates a culture of compliance and supports the integrity of the Nation's immigration laws.

## Appendix: Abbreviations

<b>Abbreviation</b>	<b>Definition</b>
CCHT	Center for Countering Human Trafficking
DHS	Department of Homeland Security
Form I-9	Employment Eligibility Verification Form
FY	Fiscal Year
HSI	Homeland Security Investigations
ICE	U.S. Immigration and Customs Enforcement
IMAGE	Mutual Agreement between Government and Employers
LEP	Labor Exploitation Program
SAC	Special Agent in Charge
VAP	Victim Assistance Program