

Immigration Enforcement Preparedness Resources



As immigration enforcement policies shift under the new presidential administration, LeadingAge members have requested information about how to prepare for potential encounters with U.S. Immigration and Customs Enforcement (ICE) or customs and border protection officials, including audits or visits relating to employment verification documentation and enforcement visits made for the purpose of detaining individuals.

The following resources offer information and guidance relating to these issues, and we will make on-going updates to this list.

Department of Homeland Security Policy

- Under a Department of Homeland Security (DHS) memo issued in 2021, ICE generally refrained from conducting enforcement actions in locations where certain essential services or activities occur (called “protected areas”), which included medical and mental health facilities and social services establishments. In this recent statement, [Enforcement Actions in or Near Protected Areas \(Jan. 20, 2025\)](#), DHS indicates it has rescinded the prior memo. While the statement does not provide additional policy direction, the rescission raises the possibility of increased enforcement activity in these settings.

Issue Overviews and Guidance

The following articles address the types of immigration enforcement visits that might occur, actions government agents may take and legal documents they may present, and considerations for organizations if these unexpected encounters occur.

- [Understanding Employer Rights and Obligations If ICE Knocks on Your Door: What You Need to Know](#) (Felhaber Larson)
- [Preparing for ICE Visits in Light of Executive Orders](#) (Ballard Spahr)
- [Rescission of the DHS Protected Areas Policy: Implications for Healthcare Systems](#) (Holland & Knight)
- [Immigration Enforcement and Rental Housing](#) (National Apartment Association)

Note: The authors of these materials state that the insights are intended for general informational purposes only, and not as legal advice concerning specific facts or situations.

Employment Authorization Audits

- Employers complete Form I-9 to verify the identity and employment authorization of individuals hired for employment in the United States. This [ICE webpage](#) explains the process the agency follows when it elects to inspect these records for a given employer.

Protected Health Information

- The HIPAA Privacy Rule permits covered entities to disclose protected health information (PHI) to law enforcement officials, without the individual’s written authorization, but under specific circumstances. [Guidance: When does the Privacy Rule allow covered entities to disclose protected health information to law enforcement officials?](#) (Source: U.S. Department of Health & Human Services)

Resources for Individuals

- [Know Your Rights: If ICE Visits Your Home](#) (Source: American Immigration Lawyers Association)
- Should an individual seek legal advice or representation, the following are examples of resources available to identify attorneys who work on immigration matters:
 - The American Immigration Lawyers Association (AILA) has an [online directory](#).
 - The Department of Justice maintains a [list of pro bono legal service providers by state](#).

Of course, organizations may leverage existing law firm relationships to identify appropriate referrals, if needed.

- Information Relating to Detention
 - ICE maintains an Online Detainee Locator System (ODLS) a public, web-based system that allows family members, legal representatives, and members of the public to locate individuals who are detained by ICE. Information is [available here](#) and [here](#).
 - An [ICE National Detainee Handbook](#) provides further information.
 - Contacts for ICE Field Offices and an ICE Detention and Reporting Line are available [on this page](#).