

APPENDIX B

Sample Notice of Inspection

Homeland Security Investigations

U.S. Department of Homeland Security
1000 2nd Avenue, Suite 2300
Seattle, Washington 98104



U.S. Immigration
and Customs
Enforcement

NOTICE OF INSPECTION

August 23, 2013

Dear Sir/Madam:

Section 274A of the Immigration and Nationality Act, as amended by the Immigration Reform and Control Act of 1986, requires employers to hire only United States citizens and aliens who are authorized to work in the United States. Employers must verify the employment eligibility of persons hired after November 6, 1986 using the Employment Eligibility Verification Form I-9.

Federal regulations require the provision of three days notice prior to conducting a review of an employer's Forms I-9. This letter serves as advance notice that U.S. Immigration and Customs Enforcement Homeland Security Investigations (HSI) has scheduled a review of your forms for August 29, 2013. However, you may waive the three-day period, should you wish to do so, by annotating and signing page two of this letter and advising this office of your decision.

During the review, the Auditor, will discuss the requirements of the law with you and inspect your Forms I-9. In addition to the presentation of your Forms I-9, you will need to present any documents copied as part of the employment eligibility verification process. If your business utilizes software for the electronic generation and storage of Forms I-9, you will need to present: the name of the software and vendor utilized; the internal business practices/protocols related to the generation of, use of, storage of, security of, and inspection and quality assurance programs your electronically generated Forms I-9; the indexing system identifying how the electronic information contained in the Form I-9 is linked to each employee; documentation of the system used to capture the electronic signature, including the identity and attestation of the individual signing the Form I-9; and the audit trail. Further, pursuant to 8 CFR 274a.2(e)(8)(ii) the Auditor, may contact you in the future to schedule a live demonstration of the creation and maintenance of an electronically generated Form I-9.

SUBJECT: Notice of Inspection

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The purpose of this review is to assess your compliance with the provisions of the law. HSI will make every effort to conduct the review of records in a timely manner so as not to impede your normal business routine. For more information on the Form I-9 inspection process please visit <http://www.ice.gov/news/library/factsheets/i9-inspection.htm>.

Sincerely,



Assistant Special Agent-in-Charge

Waiver of the Three-Day Period

I wish to waive the three day notice to which I am entitled by regulation.

(Printed Name)

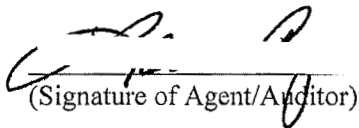
(Signature)

(Date)

Certificate of Service

This Notice of Inspection was served upon the employer by me on 8/23/2013, in the following manner: (Date)

In person


(Signature of Agent/Auditor)

(Signature of Employer if personally served)

1. To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY IMMIGRATION ENFORCEMENT SUBPOENA to Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R. § 287.4
Subpoena Number	
2. In Reference To <u>Request for Documents and Forms I-9</u> <small>(Title of Proceeding) (File Number, if Applicable)</small>	

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

- (A) **APPEAR** before the U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), or U.S. Citizenship and Immigration Services (USCIS) Official named in Block 3 at the place, date, and time specified, to testify and give information relating to the matter indicated in Block 2.
- (B) **PRODUCE** the records (books, papers, or other documents) indicated in Block 4, to the CBP, ICE, or USCIS Official named in Block 3 at the place, date, and time specified.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry relating to the enforcement of U.S. immigration laws. Failure to comply with this subpoena may subject you to an order of contempt by a federal District Court, as provided by 8 U.S.C. § 1225(d)(4)(B).

3. (A) CBP, ICE or USCIS Official before whom you are required to appear Name Title Auditor Address Telephone Number (206) 442-2218	(B) Date 08/29/2013 (C) Time 11:00 <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.
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4. Records required to be produced for inspection

1) Original I-9 Forms, (Employment Eligibility Verification Forms) and any copies of attached documents presented at time of I-9 completion for all current employees.

Items 2) - 12) are listed on continuation sheet.



If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official identified in Block 3.

5. Authorized Official

[Signature]
(Signature)

(Printed Name)
 Assistant Special Agent-in-Charge

(Title)

(Date)

1. To (Name, Address, City, State, Zip Code)	<p style="text-align: center;">DEPARTMENT OF HOMELAND SECURITY</p> <p style="text-align: center;">IMMIGRATION ENFORCEMENT SUBPOENA</p> <p style="text-align: center;">to Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R. § 287.4</p>
Subpoena Number	
<p>2. In Reference To</p> <p style="text-align: center;">Request for Documents and Forms I-9</p> <hr/> <p style="text-align: center;">(Title of Proceeding) (File Number, if Applicable)</p>	

4. Records required to be produced for inspection continued

- 2) Employee roster or payroll report listing employees employed from August 1, 2012 to present containing the following information:
 - Full employee name (First Name, Middle Initial, Last Name) and date of birth
 - Social security number
 - Date of hire and date of termination (if applicable). If employee has multiple dates of hire, provide all dates of hire and all dates of termination occurring from August 1, 2012 to present.
- 3) A current employee weekly or monthly work schedule and any prior work schedules maintained for the last year.
- 4) Monthly Payroll Reports for July 2012 to July 2013 with wage detail by employee.
- 5) Copies of the 4 most recent Washington State Unemployment Insurance Quarterly Tax Reports (Form 5208 A) and Quarterly Wage Detail Reports (Form 5208 B).
- 6) Independent contractor roster listing the dates of hire and termination (if applicable) for all independent contractors employed from August 1, 2012 to present.
- 7) A current listing of all paid on-call individuals you employ on a sporadic, irregular, or intermittent basis and not deemed to be an employee.
- 8) Copies of any Citizenship and Immigration Services (CIS) forms I-129 or I-140 petitions and Department of Labor (DOL) ETA-750 certifications submitted or received from 2012 to present.
- 9) Copy of articles of incorporation, business license and most recent annual report.
- 10) Employer Identification Number (EIC) and Taxpayer Identification Number (TIN) documentation. Names of all Managers, Supervisors and Legal Owners.
- 11) If available, copy of company procedures or policies regarding Form I-9 preparation.
- 12) Yes or No response to the following questions:
 - Participate in E-Verify program?
 - Previously received an I-9 Inspection by the Department of Labor?
 - Obtain employees from a temporary staffing agency? If yes provide the names of the temporary staffing agencies used from August 2012 to the present.

1. To (Name, Address, City, State, Zip Code)	<p style="text-align: center;">DEPARTMENT OF HOMELAND SECURITY</p> <p style="text-align: center;">IMMIGRATION ENFORCEMENT SUBPOENA</p> <p style="text-align: center;">to Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R. § 287.4</p>
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4. Records required to be produced for inspection continued

Supplemental Disclosure Information

ICE often makes its files available to other governmental agencies, particularly United States Attorneys and state prosecutors. There is a likelihood that information supplied by you will be made available to such agencies where appropriate. Whether or not ICE makes its files available to other governmental agencies is, in general, a confidential matter between ICE and such other governmental agencies.

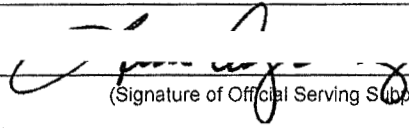
Information you give may be used against you in any federal, state, local or foreign administrative civil or criminal proceeding.

CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT

A. CERTIFICATE OF SERVICE

I certify that on 08/23/2013 , I served this subpoena on the witness named in Block 1 in the following manner:
 (Date)

(Details of how service was effected)


 (Signature of Official Serving Subpoena)

(Printed Name of Official Serving Subpoena)

Auditor

(Title of Official Serving Subpoena)

B. ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of a copy of the subpoena on the front of this form.

Signature

Title

Date

Time

a.m.
 p.m.

**Immigration & Customs Enforcement and
US Citizenship & Immigration Services
WEBSITE ADDRESSES**

I-9 Central www.uscis.gov/I-9Central
Forms, Instructions, Q&A's, Including:

1. Handbook for Employers www.uscis.gov/files/form/m-274.pdf
Released March 8, 2013

2. Form I-9 www.uscis.gov/i-9

3. IMAGE PROGRAM <http://www.ice.gov/image/>

[Benefits](#)

[FAQs](#)

[IMAGE Best Employment Practices](#)

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[Partners](#)

[Videos](#)

[IMAGE Forum Presentations](#)

[Request Information](#)

[IMAGE Flyer](#)

[IMAGE Brochure](#)

[USCIS Form I-9 & E-Verify Webinars](#)

[E-Verify Connection
Newsletter](#)

4. E-Verify Program www.uscis.gov/e-verify
How to enroll, Free webinars, Blogs, Videos,
Q&A's for employers & employees