

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

Form I-9, Employment Eligibility Verification

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Verification *(To be completed and signed by employee at the time employment begins.)*

Print Name: Last	First	Middle Initial	Maiden Name
Address <i>(Street Name and Number)</i>		Apt. #	Date of Birth <i>(month/day/year)</i>
City	State	Zip Code	Social Security #

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

- A citizen of the United States
- A noncitizen national of the United States (see instructions)
- A lawful permanent resident (Alien #) _____
- An alien authorized to work (Alien # or Admission #) _____ until (expiration date, if applicable - *month/day/year*)

Employee's Signature	Date <i>(month/day/year)</i>
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Preparer and/or Translator Certification *(To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.*

Preparer's/Translator's Signature	Print Name
Address <i>(Street Name and Number, City, State, Zip Code)</i>	
Date <i>(month/day/year)</i>	

Section 2. Employer Review and Verification *(To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)*

List A	OR	List B	AND	List C
Document title: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date <i>(if any)</i> : _____		_____		_____
Document #: _____		_____		_____
Expiration Date <i>(if any)</i> : _____		_____		_____

CERTIFICATION: I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on *(month/day/year)* _____ and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address <i>(Street Name and Number, City, State, Zip Code)</i>		Date <i>(month/day/year)</i>

Section 3. Updating and Reverification *(To be completed and signed by employer.)*

A. New Name <i>(if applicable)</i>	B. Date of Rehire <i>(month/day/year)</i> <i>(if applicable)</i>
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C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment authorization.

Document Title: _____	Document #: _____	Expiration Date <i>(if any)</i> : _____
I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.		
Signature of Employer or Authorized Representative		Date <i>(month/day/year)</i>

LISTS OF ACCEPTABLE DOCUMENTS

LIST A Documents that Establish Both Identity and Employment Eligibility	LIST B Documents that Establish Identity	LIST C Documents that Establish Employment Eligibility
OR		AND
1. U.S. Passport (unexpired or expired)	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. U.S. Social Security card issued by the Social Security Administration <i>(other than a card stating it is not valid for employment)</i>
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 Birth Abroad issued by the Department of State <i>(Form FS-545 or Form DS-1350)</i>
3. An unexpired foreign passport with a temporary I-551 stamp	3. School ID card with a photograph	3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal
4. An unexpired Employment Authorization Document that contains a photograph (Form I-766, I-688, I-688A, I-688B)	4. Voter's registration card	4. Native American tribal document
5. An unexpired foreign passport with an unexpired Arrival-Departure Record, Form I-94, bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, if that status authorizes the alien to work for the employer	5. U.S. Military card or draft record	5. U.S. Citizen ID Card <i>(Form I-197)</i>
	6. Military dependent's ID card	6. ID Card for use of Resident Citizen in the United States <i>(Form I-179)</i>
	7. U.S. Coast Guard Merchant Mariner Card	
	8. Native American tribal document	7. Unexpired employment authorization document issued by DHS <i>(other than those listed under List A)</i>
	9. Driver's license issued by a Canadian government authority	
	For persons under age 18 who are unable to present a document listed above:	
	10. School record or report card	
	11. Clinic, doctor or hospital record	
	12. Day-care or nursery school record	

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

Office of Investigations

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



U.S. Immigration
and Customs
Enforcement

NOTICE OF INSPECTION

November 19, 2009

SE-10-NOI-

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 employment eligibility of persons hired after November 6, 1986 using the Employment Eligibility Verification Form I-9.

U.S. Immigration and Customs Enforcement (ICE) 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 ICE has scheduled a review of your forms for November 25, 2009. You may, however, waive the three-day period, should you wish to do so, by annotating and signing the bottom of this letter and advising this office of your decision.

During the review, Forensic Auditor Timothy Garreis, (206) 442-2234, will discuss the requirements of the law with you and inspect your Forms I-9. The purpose of this review is to assess your compliance with the provisions of the law. ICE will make every effort to conduct the review of records in a timely manner so as not to impede your normal business routine.

Sincerely,

Aaron Wilson
Assistant Special Agent-in-Charge

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

(Printed Name)

(Signature)

(Date)



UNITED STATES OF AMERICA
U.S. DEPARTMENT OF HOMELAND SECURITY
Immigration and Customs Enforcement

SUBPOENA

Office of Origin:
Department of Homeland Security, ICE
Office of Investigations
1000 Second Avenue Suite 2300
Seattle, WA 98104
Phone: (206) 442-2234
Fax: (206) 442-2205

Date: November 19, 2009

SE19PR10S [REDACTED]
10-SE-IMM [REDACTED]

Re: Request for Documents

To: [REDACTED]

You are hereby commanded to appear before Forensic Auditor Timothy Garreis at 1000 2nd Avenue, Suite 2300, Seattle, Washington 98104 on November 25, 2009 at 10 am to give testimony and/or produce business records in connection with an official investigative proceeding being conducted under the authority of the Immigration and Nationality Act concerning an alleged offense against the United States.

You are further commanded to provide the following books, papers, and documents:

- 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, and all terminated employees from October 1, 2008 to present.
- 2) Employee roster or payroll report listing all persons employed from October 1, 2008 to present containing the following information:
 - Full employee name (First Name, Middle Initial, Last Name)
 - Social security number
 - Date of birth
 - 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 October 1, 2008 to present.
- 3) Monthly Payroll Reports for October 2008 to November 2009 with wage detail by employee.
- 4) Copies of the 4 most recent Washington State Unemployment Insurance Quarterly Tax Reports (Form 5208 A) and Quarterly Wage Detail Reports (Form 5208 B).
- 5) Copies of the Quarterly Tax Statements (IRS Form 941) pertaining to all employees from 2008 to the present.
- 6) Independent contractor roster listing the dates of hire and termination (if applicable) for all independent contractors employed from October 1, 2008 to present.

- 7) Copies of Tax Form 1099 filed from 2007 to 2008, for all independent contractors.
- 8) 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.
- 9) Copy of Social Security Administration Employer Correction Requests received from October 1, 2008 to present.
- 10) 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 2008 to present.
- 11) Copy of articles of incorporation, business license and most recent annual report
- 12) Employer Identification Number (EIC) and Taxpayer Identification Number (TIN) documentation.
- 13) If available, copy of company procedures or policies regarding Form I-9 preparation.
- 14) Yes or No response to the following questions:
 1. Participate in E-verify program.
 2. Previously received an I-9 Inspection by the Department of Labor.
 3. Obtain employees from a temporary staffing agency. If yes provide the names of the temporary staffing agencies used from October 2008 to the present.

If possible please provide the Employee Roster and Payroll Reports in electronic format (text, excel, pdf).

Compliance with this subpoena may be satisfied by personal service to an officer of the Immigration and Customs Enforcement on or before the date of appearance. Compliance can also be satisfied by certified mail delivery to Forensic Auditor Timothy Garreis at the address indicated above. If you have any questions you may contact Forensic Auditor Timothy Garreis at (206) 442-2234.



Aaron Wilson
Assistant Special Agent in Charge

RETURN OF SERVICE OF SUBPOENA

I hereby certify that on the 19 day November 2009 I served the above subpoena on the witness named above by:


Timothy Garreis
Forensic Auditor

Penalties for Substantive and Uncorrected Technical Violations

The agent or auditor will divide the number of violations by the number of employees for whom a Form I-9 should have been prepared to obtain a violation percentage. This percentage provides a base fine amount depending on whether this is a first offense, second offense, or a third or more offense. The standard fine amount listed in the table relates to each Form I-9 with violations. The range of penalty amounts are as follows:

Substantive / Uncorrected Technical Violation Fine Schedule

Substantive Verification Violations	Standard Fine Amount		
	1st Offense \$110 - \$1100	2nd Offense \$110 - \$1100	3rd Offense + \$110 - \$1100
0% - 9%	\$110	\$550	\$1,100
10% - 19%	\$275	\$650	\$1,100
20% - 29%	\$440	\$750	\$1,100
30% - 39%	\$605	\$850	\$1,100
40% - 49%	\$770	\$950	\$1,100
50% or more	\$935	\$1,100	\$1,100

Enhancement Matrix

The following matrix will be used to enhance or mitigate the recommended fine contained on the Notice of Intent to Fine.³

<u>Factor</u>	<u>Aggravating</u>	<u>Mitigating</u>	<u>Neutral</u>
Business size	+ 5%	- 5%	+/- 0%
Good faith	+ 5%	- 5%	+/- 0%
Seriousness	+ 5%	- 5%	+/- 0%
Unauthorized Aliens	+ 5%	- 5%	+/- 0%
History	+ 5%	- 5%	+/- 0%
Cumulative Adjustment	+ 25%	- 25%	+/- 0%

³ *Id.*

Form I-9 Inspection Process

