



U.S. Immigration
and Customs
Enforcement

NOTICE OF TECHNICAL OR PROCEDURAL FAILURES

[Date]

[Case Number]

[Name of Company Official]

[Company Name]

[Company Address]

Dear Sir/Madam:

On Insert date of inspection, Special Agents of U.S. Immigration and Customs Enforcement conducted an inspection of Insert name of employer to determine compliance with Section 274A of the Immigration and Nationality Act (INA). At that time, Insert number of Forms I-9 Employment Eligibility Verification Forms (Forms I-9) were presented for inspection. During the inspection of the Forms I-9 presented, technical or procedural failures to meet the employment verification requirements of Section 274A(b) of the INA were discovered. Pursuant to Section 274A(b)(6) of the INA, these technical or procedural failures are considered violations of Section 274A(b) of the INA if they remain uncorrected.

Note: Additional failures to meet the employment verification requirements of Section 274A(b) of the INA may have been discovered. These failures are not included in this notification and may result in the issuance of a Notice of Intent to Fine. If a Notice of Intent to Fine is issued, it will be served separately from this notification.

This letter and accompanying documents are to notify Insert name of employer of the technical or procedural failures encountered and to provide Insert name of employer a period of not less than ten business days within which to correct these failures. Accompanying this letter are copies of Insert number of Forms I-9 being returned Forms I-9 that contain technical or procedural failures. The technical or procedural failures found on each Form I-9 have been highlighted or circled in ink. They include one or more of the following technical or procedural failures:

- ☐ Employee's maiden name, address or birth date missing in Section 1
- ☐ No alien registration number next to the phrase in Section 1, "A Lawful Permanent Resident" where the number is in Sections 2 or 3 of the I-9 (or on a document retained with the Form I-9 and presented at the I-9 inspection)

- ☐ No alien registration number or admission number next to the phrase in Section 1, "An alien authorized to work until" where the number is in Sections 2 or 3 of the I-9 (or on a document retained with the Form I-9 and presented at the I-9 inspection)
- ☐ Employee attestation date missing in Section 1
- ☐ Employee attestation not completed at the time of hire in Section 1
- ☐ Name, address or signature of the preparer and/or translator missing in Section 1
- ☐ No date in the preparer and/or translator certification box in Section 1
- ☐ No document identification number of a List A, B or C document in Section 2 where a copy of document(s) is retained with the Form I-9 and presented at the I-9 inspection
- ☐ No document expiration date of a List A, B or C document in Section 2 where a copy of document(s) is retained with the Form I-9 and presented at the I-9 inspection
- ☐ Business title, name or address missing in Section 2
- ☐ Date of hire missing in Section 2
- ☐ No employer attestation date in Section 2
- ☐ Employer attestation in Section 2 not completed within 3 business days of the hire or, if the employee is hired for 3 business days or less, at the time of hire
- ☐ No document identification number of a List A, B or C document in Section 3 where a copy of document(s) is retained with the Form I-9 and presented at the I-9 inspection
- ☐ No document expiration date of a List A, B or C document in Section 3 where a copy of document(s) is retained with the Form I-9 and presented at the I-9 inspection
- ☐ Date of rehire missing in Section 3

You must correct the noted failures directly on the Form I-9. Initial and date the corrections made. A written explanation must be provided for corrections that cannot reasonably be made (e.g., information unavailable, individual's employment terminated). Verification failures that are not technical or procedural have not been highlighted or circled on the Forms I-9 accompanying this letter.

Insert name of employer is being provided until Insert date by which Forms I-9 must be corrected to correct the highlighted or circled failures on the accompanying Forms I-9. Within one week of this date, ICE will make arrangements to review these forms to ensure that the noted failures have been corrected. Be aware that any uncorrected technical or procedural failures may result in the issuance of a Notice of Intent to Fine.

If you have any questions regarding this notification or your requirements under the law, you may call Insert name and title of ICE point of contact at Insert telephone number.

Sincerely,

Insert name

Insert title (GS or above)

SUBJECT: Notice of Technical or Procedural Failures
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