



Instructions for Completing the Employment Eligibility Verification Form I-9

Why Employers Must Verify Employment Authorization and Identity of New Employees

- Compliance with the United States (U.S.) immigration laws.
- Prevent individuals from working in the U.S. illegally.

Individuals who may work in the U.S. legally are defined as:

- U.S. Citizens.
- Noncitizen Nationals.
- Lawful permanent residents.
- Aliens authorized to work.

NOTE: You cannot contract for the labor of an individual if you know that he or she is not authorized to work in the U.S.

Important Reminders:

- ▶ Hiring employees without complying with the employment eligibility verification requirements is a violation of the employer sanctions laws.
- ▶ This law requires employees hired after November 6, 1986, to present documentation that establishes identity and employment authorization. Employers must record this information on Forms I-9.
- ▶ Employers may not discriminate against employees on the basis of national origin or citizenship status.
- ▶ ***DO NOT USE WHITE OUT ON THE FORM.***

Civil Penalties may Include the following:

- ▶ Violations of I-9 requirements: fines range from \$110 – \$1,100 *per* I-9.
- ▶ Knowingly hiring or continuing to employ: fines range from \$375 – \$3,200 per alien.
- ▶ Pattern or practice: \$3,300 – \$11,000.
- ▶ Debarment from government contracts for “knowingly employing an unauthorized worker”.
- ▶ Criminal penalties: fines and/or imprisonment.

Retention of I-9 Forms



AGP must retain an employee's completed Form I-9 for the employee:

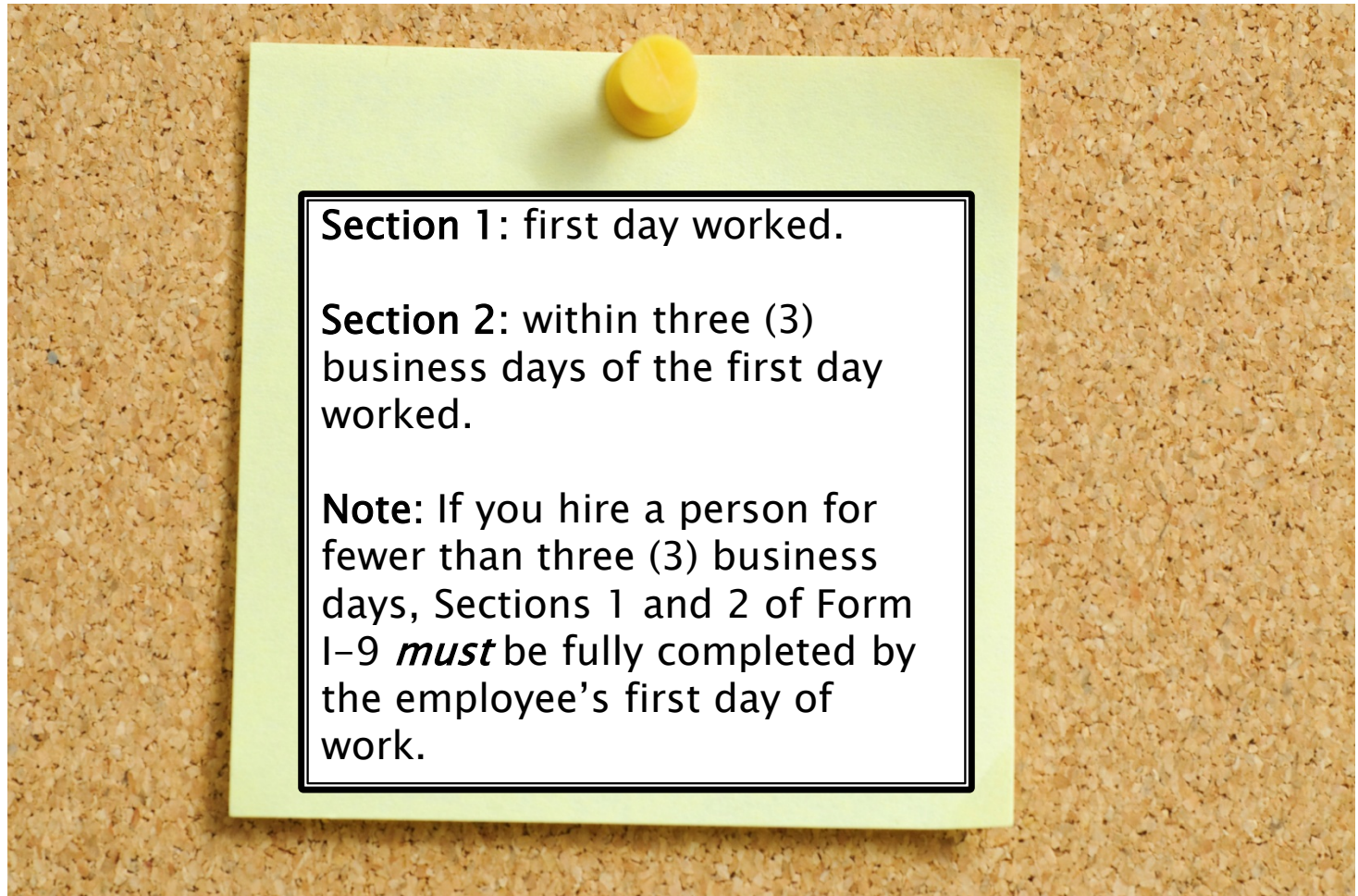
- As long as the employee works for the employer *plus* one year from date of termination.

-OR-

- Three years from the original date of hire.

WHICHEVER DATE IS LATER.

Completing the Form I-9



Section 1: first day worked.

Section 2: within three (3) business days of the first day worked.

Note: If you hire a person for fewer than three (3) business days, Sections 1 and 2 of Form I-9 *must* be fully completed by the employee's first day of work.

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 (Street Name and Number)			
City		State	Zip Code
Apt. #		Date of Birth (month/day/year)	
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 (month/day/year) _____

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 (Street Name and Number, City, State, Zip Code)	
Date (month/day/year)	

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).)

Document title:	List A	OR	List B	AND	List C
Issuing authority:					
Document #:					
Expiration Date (if any):					
Document #:					
Expiration Date (if any):					

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 (Street Name and Number, City, State, Zip Code)		Date (month/day/year)

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

A. New Name (if applicable)	B. Date of Rehire (month/day/year) (if applicable)
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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 (if any):
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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 (month/day/year)
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LISTS OF ACCEPTABLE DOCUMENTS

All documents must be unexpired

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		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. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States
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 (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph		3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card		4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form		5. U.S. Military card or draft record		5. Native American tribal document
		6. Military dependent's ID card		6. U.S. Citizen ID Card (Form I-197)
		7. U.S. Coast Guard Merchant Mariner Card		7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		8. Native American tribal document		8. Employment authorization document issued by the Department of Homeland Security
		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		
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI				

Sample of the I-9 Employment Eligibility Verification Form

Section 1

Section I. Employee Information and Verification <i>(To be completed and signed by employee at the time employment begins.)</i>			
1	Print Name: Last Doe	First John	Middle Initial A
	Maiden Name	1	
2	Address (Street Name and Number) 123 Main Street		Apt. # 1
	Date of Birth (month/day/year)		2
	01/01/1952		
3	City Washington	State DC	Zip Code 20011
	Social Security #		3
	000-00-0000		
4	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): <input type="checkbox"/> A citizen of the United States <input type="checkbox"/> A noncitizen national of the United States (see instructions) <input type="checkbox"/> A lawful permanent resident (Alien #) <input checked="" type="checkbox"/> An alien authorized to work (Alien # or Admission #) 0000000000 until (expiration date, if applicable - month/day/year) 02/28/2011
5	Employee's Signature <i>Jane Doe</i>		Date (month/day/year) 02/20/2009
Preparer and/or Translator Certification <i>(To be completed and signed if Section I 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.</i>			
6	Preparer's/Translator's Signature <i>Jane Doe</i>		Print Name Jane Doe
	Address (Street Name and Number, City, State, Zip Code) 123 Main Street, Apt. 2, Washington, DC 20011		Date (month/day/year) 02/20/2009

1. Employee enters full legal name and maiden name, if applicable.
 - If you have two last names (family names), include both. If you hyphenate your last name, include the hyphen (-) between the names.
 - If you have two first names (given names), include both. If you hyphenate your first name, include the hyphen (-) between the names.
 - Include your middle initial, if applicable.
2. Employee enters current address and date of birth.
3. Employee enters his or her city, state, ZIP Code, and Social Security number. Entering the Social Security number is optional unless the employer also confirms employment authorization using E-Verify.
4. Employee reads warning and attests to his or her citizenship or immigration status by checking the appropriate box.
5. Employee signs and dates the form.
6. If the employee uses a preparer or translator to fill out the form, that person must certify that he or she assisted the employee by completing the Preparer and/or Translator Certification block.

Section 2

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).)

1	List A	OR	List B	AND	List C
	Document title: <u>EAD</u>		_____		_____
	Issuing authority: <u>DHS/USCIS</u>		_____		_____
	Document #: <u>LIN1234567891</u>		_____		_____
	Expiration Date (if any): <u>02/28/2011</u>		_____		_____
	Document #: _____		_____		_____
	Expiration Date (if any): _____		_____		_____

2 **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) 02/20/2009 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.)

3	Signature of Employer or Authorized Representative <u>John Smith</u>	Print Name John Smith	Title Manager
	Business or Organization Name and Address (Street Name and Number, City, State, Zip Code) Burger Corp., 123 S. Main Street, Washington, DC 20011		Date (month/day/year) 02/23/2009

- Supervisor/Designee records document title(s), issuing authority, document number, and the expiration date from original documents supplied by employee.
NOTE: You may use abbreviations for commonly used documents, e.g., DL for driver's license and SS for Social Security.
- Supervisor/Designee enters date employment began.
- Supervisor/Designee attests to *examining the documents* provided by completing the signature block. If a designated agent or notary public completes this section, he or she must provide the employer's name and address under his or her signature.

Acceptable Documents for List A

These are documents that establish both identity and employment authorization. Only one from the following is necessary for this option:

1. U.S. Passport or U.S. Passport Card.
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551).
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine readable immigrant visa.
4. Employment Authorization Document that contains a photograph (Form I-766).
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI.

Acceptable Documents for List B and C

List B – Documents that Establish Identity

1. Driver license or ID card issued by a State or outlying possession of the U.S. provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address.
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.
3. School ID card with a photograph.
4. Voter's registration card.
5. U.S. Military card or draft record.
6. Military dependent's ID card.
7. U.S. Coast Guard Merchant Mariner Card.
8. Native American tribal document.
9. Driver's license issued by a Canadian government authority.

List C – Documents that Establish Employment Authorization

1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the U.S.
2. Certification of Birth Abroad issued by the Department of State (Form FS-545).
3. Certification of Report of Birth issued by the Department of State (Form DS-1350).
4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the U.S. bearing an official seal.
5. Native American tribal document.
6. U.S. Citizen ID Card (Form I-197).
7. Identification Card for Use of Resident Citizen in the U.S. (Form I-179)
8. Employment authorization document issued by the Department of Homeland Security.

One from this list **-AND-** One from this list
YOU MUST INCLUDE BOTH TYPES OF DOCUMENTS
AND COMPLETELY FILL IN LIST A AND LIST C

CERTIFICATION:

Date the employee began employment.

Signature of the Supervisor or Authorized Representative.

Printed Name of the Supervisor or Authorized Representative.

Title of the Supervisor or Authorized Representative.

CERTIFICATION: I attest, under penalty of perjury, that I have examined the document(s) presented by the named employee, that the above-listed document(s) appear to be genuine and to relate to the employment named, that the employee began employment on (month/day/year) 11/05/2009 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 <i>Apple Computer</i>	Print Name Apple Computer	Title Manager
Business or Organization Name and Address (Street Name and Number, City, State, Zip Code) Computers R US, 221 University St. Collegetown, Anystate 00000		Date (month/day/year) 11/05/2009

Oregon Military Department (OMD), and street address where the employee will be working.

Date the documents were witnessed.

Section 3 – Recording Name Changes for Current Employees

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

A. New Name *(if applicable)*

B. Date of Rehire *(month/day/year)* *(if applicable)*

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 *(if any)*:

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 *(month/day/year)*

Leave this section blank.

Closing Note:

The information included in this presentation would be considered the typical processes for completing the I-9 form. If you have any odd looking document or have questions that are not answered in this presentation contact the AGP office for assistance.



References and Resources

- ▶ U.S. Citizenship and Immigration Services. *Form I-9* found at: <http://www.uscis.gov/files/form/i-9.pdf>
- ▶ U.S. Citizenship and Immigration Services. Revised version 06/01/2011. *Handbook for Employers: Instructions for completing Form I-9*. <http://www.uscis.gov/files/form/m-274.pdf>

-End-

Acceptable Documents for Verifying Employment Authorization and Identity

The following slides are picture examples of acceptable documents.

Form I-20 Accompanied by Form I-94 or Form I-94A

Form I-94 or Form I-94A for F-1 nonimmigrant students must be accompanied by a Form I-20, Certificate of Eligibility for Nonimmigrant Students, endorsed with employment authorization by the designated school official for off-campus employment or curricular practical training. USCIS will issue an Employment Authorization Document (Form I-766) to all students (F-1 and M-1) authorized for a post-completion OPT period.

(See Form I-94 on next page.)

Form I-20 Accompanied by Form I-94 or Form I-94A

This is a sample of Form I-20, Certificate of Eligibility for Nonimmigrant Students. The form includes sections for:

- 1. Student Information: Name, Date of Birth, Sex, Country of Birth, Country of Issuance, and Date of Issuance.
- 2. School Information: School Name, Address, and Phone Number.
- 3. Program Information: Degree or Certificate Program, Level of Study, and Expected Date of Completion.
- 4. Financial Information: Source of Funds, Amount of Funds, and Date of Funds Received.
- 5. Employment Information: Type of Employment, Employer Name, and Date of Employment.
- 6. Signature and Date: Signature of the Designated School Official (DSO) and the date.

 A large 'SAMPLE' watermark is overlaid on the form.

Form DS-2019 Accompanied by Form I-94 or Form I-94A

Nonimmigrant exchange visitors (J-1) must have a Form I-94 or Form I-94A accompanied by an unexpired Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, issued by the U.S. Department of State, that specifies the sponsor. J-1 exchange visitors working outside the program indicated on the Form DS-2019 also need a letter from their responsible officer.

(See Form I-94 on next page.)

Form DS-2019 Accompanied by Form I-94 or Form I-94A

This is a sample of Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status. The form includes sections for:

- 1. Applicant Information: Name, Date of Birth, Sex, Country of Birth, and Country of Issuance.
- 2. Sponsor Information: Name, Address, and Phone Number.
- 3. Program Information: Type of Exchange, Start Date, and End Date.
- 4. Financial Information: Source of Funds, Amount of Funds, and Date of Funds Received.
- 5. Signature and Date: Signature of the Responsible Officer and the date.

 A large 'Sample' watermark is overlaid on the form.

Form I-94 or Form I-94A Arrival/Departure Record

CBP and sometimes USCIS issue arrival-departure records to nonimmigrants. This document indicates the bearer's immigration status, the date that the status was granted, and when the status expires. The immigration status notation within the stamp on the card varies according to the status granted, e.g., L-1, F-1, J-1. The Form I-94 has a handwritten date and status, and the Form I-94A has a computer-generated date and status. Both may be pre-

sented with documents that Form I-9 specifies are valid only when Form I-94 or Form I-94A also is presented, such as the foreign passport, Form DS-2019, or Form I-20.

Form I-9 provides space for you to record the document number and expiration date for both the passport and Form I-94 or Form I-94A.

Departure Number OMB No. 1651-0111

0000000000 00

I-94
Departure Record

Sample
APR 20 2011
F-1
D/S

14. Family Name S T U D E N T	
15. First (Given) Name I M A	16. Birth Date (Day/Mo/Yr) 0 1 0 1 1 7 0
17. Country of Citizenship A N Y C O U N T R Y	

CBP Form I-94 (10/04)
STAPLE HERE

See Other Side

Form I-94 Arrival/Departure Record

Departure Number

813106636 11

Department of
Homeland Security
CBP I-94A (11/04)
Departure Record

L1
12345
09/17/2007

Family Name SAMPLE	
First (Given) Name AHMET	Birth Date (Day/Mo/Yr) 22 12 50
Country of Citizenship PAKISTAN	

20041122 US-VISIT 20050207 MULTIPLE

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Form I-94A Arrival/Departure Record

Passports of the Federated States of Micronesia and the Republic of the Marshall Islands



In 2003, Compacts of Free Association (CFA) between the United States and the Federated States of Micronesia (FSM) and Republic of the Marshall Islands (RMI) were amended to allow citizens of these countries to work in the United States without obtaining an Employment Authorization Document (Form I-766).

For Form I-9 purposes, citizens of these countries may present FSM or RMI passports accompanied by a Form I-94 or Form I-94A indicating nonimmigrant admission under the CFA, which are acceptable documents under List A. The exact notation on Form I-94 or Form I-94A may vary and is subject to change. As of early 2009, the notation on Form I-94 or Form I-94A typically states "CFA/FSM" for an FSM citizen and "CFA/MIS" for an RMI citizen.

Passports from the Federated States of Micronesia and the Marshall Islands

Documents Acceptable in the Commonwealth of the Northern Mariana Islands (CNMI) only



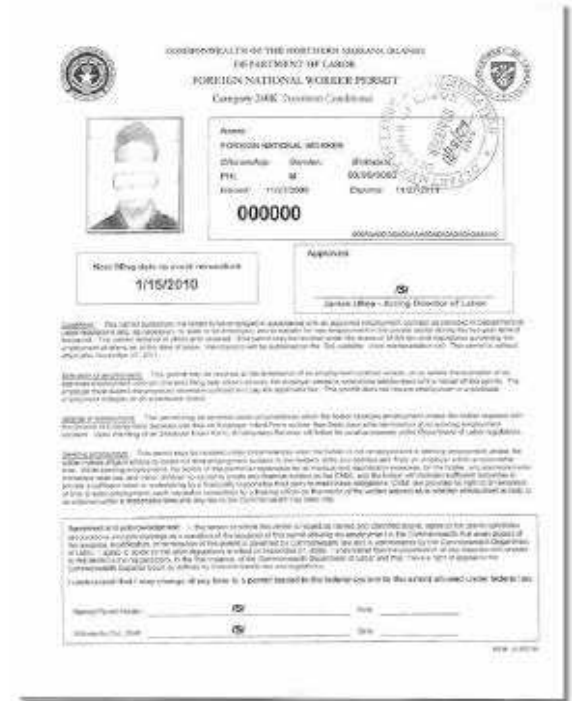
CNMI Alien Entry Permit with red band

An Alien Entry Permit with red band issued to an alien by the CNMI Office of the Attorney General, Division of Immigration, before November 28, 2009, is valid evidence of identity and employment authorization in the CNMI (when accompanied by an unexpired foreign passport) until the expiration date of the permit or November 27, 2011, whichever occurs first.



Permanent Resident Card Issued by the CNMI

An unexpired Permanent Resident Card issued by the CNMI is evidence of identity and employment authorization (when accompanied by an unexpired foreign passport) in the CNMI until November 27, 2011.



Temporary Work Authorization Letter

A Temporary Work Authorization Letter issued by the CNMI Department of Labor before November 28, 2009 containing the name and photograph of the individual, if the period of employment authorization has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the Temporary Work Authorization Letter is valid evidence of identity and employment authorization (when accompanied by an unexpired foreign passport) in the CNMI until the expiration date of the document or November 27, 2011, whichever occurs first.

For more information on CNMI documents and employment authorization, see Part 7.

List B—Documents That Establish Identity Only

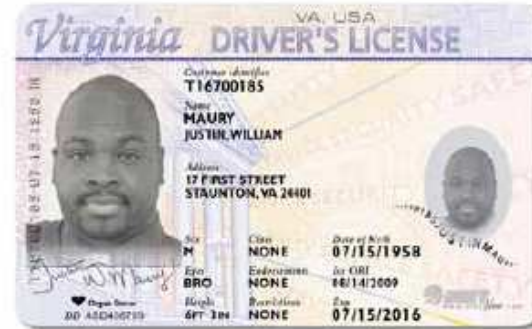
State-issued Driver's License

A driver's license can be issued by any state or territory of the United States (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) or by a Canadian government authority, and is acceptable if it contains a photograph or other identifying information such as name, date of birth, gender, height, eye color, and address.

Some states may place notations on their drivers' licenses that state the card does not confirm employment authorization. For Form I-9 purposes, these drivers' licenses, along with every other state's, establish the identity of an employee. When presenting any driver's license, the employee must also present a List C document that establishes employment authorization.

State-issued drivers' licenses vary from state to state.

The illustrations below do not necessarily reflect the actual size of the documents.



Driver's License from the Commonwealth of Virginia

State-issued ID Card

An ID card can be issued by any state (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) or by a local government, and is acceptable if it contains a photograph or other identifying information such as name, date of birth, gender, height, eye color, and address.

Some states may place notations on their ID cards that state the card does not confirm employment authorization. For Form I-9 purposes, these cards, along with every other state's, establish the identity of an employee. When presenting any state-issued ID card, the employee must also present a List C document that establishes employment authorization.



Identification card from the Commonwealth of Virginia

The following illustrations in this Handbook do not necessarily reflect the actual size of the documents.

U.S. Social Security Account Number Card

The U.S. Social Security account number card is issued by the Social Security Administration (older versions were issued by the U.S. Department of Health and Human Services), and can be presented as a List C document unless the card specifies that it does not authorize employment in the United States. Metal or plastic reproductions are not acceptable.



U.S. Social Security Card

Certifications of Birth Issued by the U.S. Department of State

These documents may vary in color and paper used. All will include a raised seal of the office that issued the document, and may contain a watermark and raised printing.



Certification of Birth Abroad Issued by the U.S. Department of State (FS-545)



Certification of Report of Birth Issued by the U.S. Department of State (DS-1350)

Birth Certificate

Only an original or certified copy of a birth certificate issued by a state, county, municipal authority, or outlying possession of the United States that bears an official seal is acceptable. Versions will vary by state and year of birth.

Beginning October 31, 2010, only Puerto Rico birth certificates issued on or after July 1, 2010 are valid. Please check www.uscis.gov for guidance on the validity of Puerto Rico birth certificates for Form I-9 purposes.

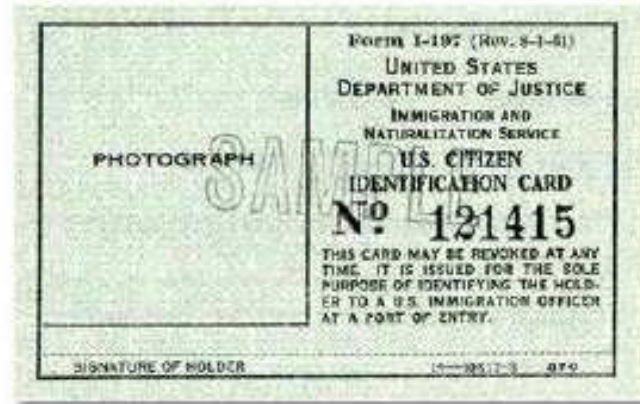


Birth Certificate

U.S. Citizen Identification Card (Form I-197)

Form I-197 was issued by the former Immigration and Naturalization Service (INS) to naturalized U.S. citizens. Although this card is no longer issued, it is valid indefinitely.

U.S. Citizen Identification Card
(Form I-197)



Identification Card for Use of Resident Citizen in the United States (Form I-179)

Form I-179 was issued by INS to U.S. citizens who are residents of the United States. Although this card is no longer issued, it is valid indefinitely.

Identification Card for Use of Resident
Citizen in the United States (Form I-179)

