

TABLE OF CHANGES- INSTRUCTIONS
Form I-9, Employment Eligibility Verification
OMB No. 1615-0047 (Expires 08/31/2012)
For 30 Day Public Review
Revision date: 07/17/2012

Reason for Revision: Form I-9 is expiring, and needs to be updated to meet agency form standards and to be more customer-friendly/clear.

Location	Current Form I-9 (posted on the USCIS Web site, dated 08/07/09).	Location and Proposed Revision
Page 1	<p>Anti-Discrimination Notice. It is illegal to discriminate against any individual (other than an alien not authorized to work in the United States) in hiring, discharging, or recruiting or referring for a fee because of that individual's national origin or citizenship status. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents presented have a future expiration date may also constitute illegal discrimination. For more information, call the Office of Special Counsel for Immigration Related Unfair Employment Practices at 1-800-255-8155.</p>	<p>Page 1</p> <p>Anti-Discrimination Notice. It is illegal to discriminate against any work-authorized individual in hiring, discharge, recruitment or referral for a fee, or in the employment eligibility verification (Form I-9 and E-Verify) process based on that individual's citizenship status, immigration status, or national origin. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination. For more information, call the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) at 1-800-255-7688 (employees), 1-800-255-8155 (employers), or 1-800-237-2515 (TDD), visit www.justice.gov/crt/about/osc.</p>
Page 1	<p>What is the Purpose of this Form?</p> <p>The purpose of this form is to document that each new employee (both citizen and noncitizen) hired after November 6, 1986, is authorized to work in the United States.</p>	<p>What is the Purpose of this Form?</p> <p>Employers must complete Form I-9 to document verification of the identity and employment authorization of each new employee (both citizen and noncitizen) hired after November 6, 1986, to work in the United States. In the Commonwealth of the Northern Mariana Islands (CNMI), employers must complete Form I-9 to document that they have verified the identity and employment authorization of each new employee (both citizen and noncitizen) hired after November 27, 2011. (Employers should have used Form I-9 CNMI between November 28, 2009 and November 27, 2011.)</p>

Page 1	When Should Form I-9 Be Used? All employees (citizens and noncitizens) hired after November 6, 1986, and working in the United States must complete Form I-9.	Deleted.
Page 1		Page 1, General Instructions Employers are responsible for completing and retaining Form I-9. For the purpose of completing this form, the term “employer” means all employers, including those recruiters and referrers for a fee who are agricultural associations, agricultural employers, or farm labor contractors. Form I-9 is made up of three sections. Employers may be fined if the form is not complete. Employers are responsible for retaining completed forms. Do not mail completed forms to ICE or USCIS.
Page 1, Filling Out Form I-9	Section 1, Employee This part of the form must be completed no later than the time of hire, which is the actual beginning of employment. Providing the Social Security Number is voluntary, except for employees hired by employers participating in the USCIS Electronic Employment Eligibility Verification Program (E-Verify). The employer is responsible for ensuring that Section 1 is timely and properly completed. Noncitizen nationals of the United States are persons born in American Samoa, certain former citizens of the former Trust Territory of the Pacific Islands, and certain children of noncitizen nationals born abroad.	Page 1, Section 1. Employee Information and Attestation Newly hired employees must complete and sign Section 1 of Form I-9 no later than the first day of employment . Section 1 should never be completed before the employee has accepted a job offer. Provide the following information to complete Section 1: Name: Provide your full legal last name, first name, and middle initial. Your last name is your family name or surname. If you have two last names or a hyphenated last name, include both names in the last name field. Your first name is your given name. Your middle initial is the first

	<p>Employers should note the work authorization expiration date (if any) shown in Section 1. For employees who indicate an employment authorization expiration date in Section 1, employers are required to reverify employment authorization for employment on or before the date shown. Note that some employees may leave the expiration date blank if they are aliens whose work authorization does not expire (e.g., asylees, refugees, certain citizens of the Federated States of Micronesia or the Republic of the Marshall Islands). For such employees, reverification does not apply unless they choose to present in Section 2 evidence of employment authorization that contains an expiration date (e.g., Employment Authorization Document (Form I-766)).</p>	<p>letter of your second given name, or the first letter of your middle name, if any.</p> <p>Other names used: Provide all other names used, if any (including your maiden name). If you have had no other legal names, write "N/A."</p> <p>Address: Provide the address where you currently live, including Street Number and Name, Apartment Number (if applicable), City, State, and Zip code. Do not provide a Post Office Box address (P.O. Box). Only border commuters from Canada and Mexico may use an international address in this field.</p> <p>Date of Birth: Provide your date of birth...</p> <p>U.S. Social Security Number: Provide your 9-digit Social Security number. Providing your Social Security number is voluntary. However, if your employer participates in E-Verify, you must provide your Social Security number.</p> <p>E-mail Address and Telephone Number (Optional): Provide your e-mail address and telephone number, if available. DHS may contact you, such as when your employer participates in E-Verify and it is necessary to advise you of a potential mismatch of the information provided to E-Verify and how to contest a potential mismatch. You may write "N/A" if you choose not to provide this information.</p> <p>All employees must attest in Section 1, under penalty of perjury, to their citizenship or immigration status by checking one of the following four boxes provided on the form:</p> <ol style="list-style-type: none"> 1. A citizen of the United States 2. A noncitizen national of the United States: Noncitizen nationals of the United States are persons born in American Samoa, certain former citizens of the former Trust Territory of the Pacific Islands, and certain
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		<p>children of noncitizen nationals born abroad.</p> <p>3. A lawful permanent resident: A lawful permanent resident is any person who is not a U.S. citizen and who resides in the United States under legally recognized and lawfully recorded permanent residence as an immigrant. The term “lawful permanent resident” includes conditional residents. If you check this box, write either your Alien Registration Number (A-Number) or USCIS Number in the field next to your selection. At this time, the USCIS Number is the same as the A-Number without the “A” prefix.</p> <p>4. An alien authorized to work: If you are not a citizen or national of the United States or a lawful permanent resident, but are authorized to work in the United States, check this box.</p> <p>If you check this box:</p> <p>a. Record the date that your employment authorization expires, if any. Aliens whose employment authorization does not expire, such as refugees, asylees, and certain citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau, may write “N/A” on this line.</p> <p>b. Next, enter your Alien Registration Number (A-Number)/USCIS Number. At this time, the USCIS Number is the same as your A-Number without the “A” prefix. If you have not received an A-Number/USCIS Number, record your Admission number. You can find your Admission Number on Form I-94, “Arrival-Departure Record,” or as directed by U.S. Customs and Border Protection in connection with your arrival in the United States.</p>
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Page 1	<p>Preparer/Translator Certification</p> <p>The Preparer/Translator Certification must be completed if Section 1 is prepared by a person other than the employee. A preparer/translator may be used only when the employee is unable to complete Section 1 on his or her own. However, the employee must still sign Section 1 personally.</p>	<p>Page 2,</p> <p>Preparer and/or Translator Certification</p> <p>The Preparer and/or Translator Certification must be completed if the employee requires assistance to complete Section 1 (e.g., the employee needs the instructions or responses translated, someone other than the employee fills out the information blocks, or someone with disabilities needs additional assistance). The employee must still sign Section 1.</p>
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		<p>Minors and Certain Employees with Disabilities (Special Placement)</p> <p>Parents or legal guardians assisting minors (individuals under 18) and certain employees with disabilities should review the guidelines in the Handbook for Employers: Instructions for Completing Form I-9 (M-274) on www.uscis.gov/I-9Central before completing Section 1. These individuals have special procedures for establishing identity if they cannot present an identity document for Form I-9. The special procedures include (1) the parent or legal guardian filling out Section 1 and writing “minor under age 18” or “special placement,” whichever applies, in the employee signature block; and (2) the employer writing “minor under age 18” or “special placement” under List B in Section 2.</p>
<p>Page 1</p>	<p>Section 2, Employer</p> <p>For the purpose of completing this form, the term "employer" means all employers including those recruiters and referrers for a fee who are agricultural associations, agricultural employers, or farm labor contractors. Employers must complete Section 2 by examining evidence of identity and employment authorization within three business days of the date employment begins. However, if an employer hires an individual for less than three business days, Section 2 must be completed at the time employment begins. Employers cannot specify which document(s) listed on the last page of Form I-9 employees present to establish identity and employment authorization. Employees may present any List A document OR a combination of a List B and a List C document.</p> <p>If an employee is unable to present a required document (or documents), the employee must present an acceptable receipt in lieu of a document listed on the last page of this form. Receipts showing that a person has applied for an initial grant of employment authorization, or for renewal of</p>	<p>Page 3,</p> <p>Section 2. Employer or Authorized Representative Review and Verification</p> <p>Before completing Section 2, employers must ensure that Section 1 is completed properly and on time. Employers may not ask an individual to complete Section 1 before he or she has accepted a job offer.</p> <p>Employers or their authorized representative must complete Section 2 by examining evidence of identity and employment authorization within 3 business days of the employee’s first day of employment. For example, if an employee begins employment on Monday, the employer must complete Section 2 by Thursday of that week. However, if an employer hires an individual for less than 3 business days, Section 2 must be completed no later than the first day of employment. An employer may complete Form I-9 before the first day of employment if the employer has offered the individual a job and the individual has accepted.</p> <p>Employers cannot specify which document(s) employees may present from the Lists of Acceptable Documents, found on the</p>

<p>employment authorization, are not acceptable. Employees must present receipts within three business days of the date employment begins and must present valid replacement documents within 90 days or other specified time.</p> <p>Employers must record in Section 2:</p> <ol style="list-style-type: none"> 1. Document title; 2. Issuing authority; 3. Document number; 4. Expiration date, if any; and 5. The date employment begins. <p>Employers must sign and date the certification in Section 2. Employees must present original documents, Employers may, but are not required to, photocopy the document(s) presented. If photocopies are made, they must be made for all new hires. Photocopies may only be used for the verification process and must be retained with Form I-9.</p> <p>Employers are still responsible for completing and retaining Form I-9.</p> <p>For more detailed information, you may refer to the <i>USCIS Handbook for Employers</i> (Form M-274). You may obtain the handbook using the contact information found under the header “USCIS forms and Information.”</p>	<p>last page of Form I-9, to establish identity and employment authorization. Employees must present one selection from List A OR a combination of 1 selection from List B and 1 selection from List C. List A contains documents that show both identity and employment authorization. Some List A documents are combination documents. The employee must present combination documents together to be considered a List A document. For example, a foreign passport and a Form I-94 containing an endorsement of the alien’s nonimmigrant status must be presented together to be considered a List A document. List B contains documents that show identity only, and List C contains documents that show employment authorization only. If an employee presents a List A document, he or she should not present a List B and List C document, and vice versa. If an employer participates in E-Verify, the List B document must include a photograph.</p> <p>In the field below the Section 2 introduction, employers must enter the last name, first name and middle initial, if any, that the employee entered in Section 1. This will help to identify the pages of the form should they get separated.</p> <p>Employers or their authorized representatives must:</p> <ol style="list-style-type: none"> 1. Physically examine each original document the employee presents to determine if it reasonably appears to be genuine and to relate to the person presenting it. The person who examines the documents must be the same person who signs Section 2. The examiner of the documents and the employee must both be physically present during the examination of the employee’s documents. 2. Record the document title shown on the Lists of Acceptable Documents, issuing authority, document number(s) and expiration date (if any) from the original document(s) the employee presents. You may write “N/A” in any unused fields.
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		<p>If the employee is a student or exchange visitor who presented a foreign passport with a Form I-94, the employer should also enter in Section 2:</p> <p>a. The student's Form I-20 or DS-2019 number (Student and Exchange Visitor Information System- SEVIS number) and</p> <p>b. The program end date from the Form I-20 or the DS-2019.</p> <ol style="list-style-type: none"> 3. Under Certification, enter the employee's first day of employment. Temporary staffing agencies may enter the first day the employee was placed in a job pool. Recruiters and recruiters for a fee do not enter the employee's first day of employment. 4. Provide the name and title of the person completing Section 2 in the Signature of Employer or Authorized Representative field. 5. Sign and date the attestation on the date Section 2 is completed. 6. Record the employer's business name and address. 7. Return the employee's documentation. <p>Employers may, but are not required to, photocopy the document(s) presented. If photocopies are made, they should be made for ALL new hires and reverifications. Photocopies must be retained and presented with Form I-9 in case of an inspection by DHS or other federal government agency. Employers must always complete Section 2 even if they photocopy an employee's document(s). Making photocopies of an employee's document(s) cannot take the place of completing Form I-9. Employers are still responsible for completing and retaining Form I-9.</p> <p>Page 4, Unexpired Documents</p>
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		<p>within 1 year from the date of issue.</p> <p>3. The departure portion of Form I-94/I-94A with a refugee admission stamp. The employee must present an unexpired Employment Authorization Document (Form I-766) or a combination of a List B document and an unrestricted Social Security card within 90 days.</p> <p>When the employee provides an acceptable receipt, the employer should:</p> <ol style="list-style-type: none"> 1. Record the document title in Section 2 under the sections titled List A, List B, or List C, as applicable. 2. Write the word “receipt” and its document number in the “Document Number” field. Record the last day that the receipt is valid in the “Expiration Date” field. <p>By the end of the receipt validity period, the employer should:</p> <ol style="list-style-type: none"> 1. Cross out the word “receipt” and any accompanying document number and expiration date. 2. Record the number and other required document information from the actual document presented. 3. Initial and date the change. <p>See the <i>Handbook for Employers: Instructions for Completing Form I-9 (M-274)</i> at www.uscis.gov/I-9Central for more information on receipts.</p>
Page 2	<p>Section 3, Updating and Reverification</p> <p>Employers must complete Section 3 when updating and/or reverifying Form I-9. Employers must reverify employment authorization of their employees on or before the work authorization expiration date recorded in Section 1 (if any).</p>	<p>Page 4-5,</p> <p>Section 3. Reverification and Rehires</p> <p>Employers or their authorized representatives should complete Section 3 when reverifying that an employee is authorized to work. When rehiring an employee within 3 years of the date Form I-9 was originally completed, employers have the option to</p>

<p>Employers CANNOT specify which document(s) they will accept from an employee.</p> <p>A. If an employee's name has changed at the time this form is being updated/reverified, complete Block A.</p> <p>B. If an employee is rehired within three years of the date this form was originally completed and the employee is still authorized to be employed on the same basis as previously indicated on this form (updating), complete Block B and the signature block.</p> <p>C. If an employee is rehired within three years of the date this form was originally completed and the employee's work authorization has expired or if a current employee's work authorizations is about to expire (reverification), complete Block B; and:</p> <ol style="list-style-type: none"> 1. Examine any document that reflects the employee is authorized to work in the United States (see List A or C); 2. Record the document title, document number, and expiration date (if any) in Block C: and 3. Complete the signature block. <p>Note that for reverification purposes, employers have the option of completing a new Form I-9 instead of completing Section 3.</p>	<p>complete a new Form I-9 or complete Section 3. When completing Section 3 in either a reverification or rehire situation, if the employee's name has changed, record the name change in Block A.</p> <p>For employees who provide an employment authorization expiration date in Section 1, employers must reverify employment authorization on or before the date provided.</p> <p>Some employees may write "N/A" on the expiration date line in Section 1 if they are aliens whose employment authorization does not expire (e.g., asylees, refugees, certain citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau). Reverification does not apply for such employees unless they chose to present evidence of employment authorization in Section 2 that contains an expiration date and requires reverification, such as Form I-766, Employment Authorization Document.</p> <p>Reverification also applies if evidence of employment authorization (List A or List C document) presented in Section 2 expires. However, employers should not reverify:</p> <ol style="list-style-type: none"> 1. U.S. citizens and noncitizen nationals; or 2. Lawful permanent residents who presented a Permanent Resident Card (Form I-551) for Section 2. <p>Reverification does not apply to List B documents.</p> <p>If both Section 1 and Section 2 indicate expiration dates triggering the reverification requirement, the employer should reverify by the earlier date.</p> <p>For reverification, an employee must present unexpired documentation from either List A or List C showing he or she is still authorized to work. Employers CANNOT require the employee to present a particular document from List A or List C. The employee may choose which document to present.</p>
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		<p>To complete Section 3, employers should follow these instructions:</p> <ol style="list-style-type: none"> 1. Complete Block A if an employee's name has changed at the time you complete Section 3. 2. Complete Block B with the date of rehire if you rehire an employee within 3 years of the date this form was originally completed, and the employee is still authorized to be employed on the same basis as previously indicated on this form. Also complete the "Signature of Employer or Authorized Representative" block. 3. Complete Block C if: <ol style="list-style-type: none"> a. The employment authorization or employment authorization document of a current employee is about to expire and requires reverification, or b. You rehire an employee within 3 years of the date this form was originally completed and his or her employment authorization or employment authorization document has expired. (Complete Block B for this employee as well.) <p>To complete Block C:</p> <ol style="list-style-type: none"> 1. Examine either a List A or a List C document the employee presents that shows that the employee is currently authorized to work in the United States; 2. Record the document title, document number, and expiration date (if any); and 3. Complete the "Signature of Employer or Authorized Representative" block, including the date. <p>For reverification purposes, employers may either complete Section 3 of a new Form I-9 or Section 3 of the previously completed Form I-9. Any new pages of Form I-9 completed during the reverification must be attached to the employee's</p>
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		original Form I-9. If you choose to complete Section 3 of a new Form I-9, you may attach just the page containing Section 3, with the employee's name entered at the top of the page, to the employee's original Form I-9. If there is a more current version of the Form I-9 at the time of reverification, you must complete Section 3 of that version of the form.
Page 2	<p>What Is the Filing Fee?</p> <p>There is no associated filing fee for completing Form I-9. This form is not filed with USCIS or any government agency. Form I-9 must be retained by the employer and made available for inspection by U.S. Government officials as specified in the Privacy Act Notice below.</p>	<p>Page 5,</p> <p>What Is the Filing Fee?</p> <p>There is no fee for completing Form I-9. This form is not filed with USCIS or any government agency. Form I-9 must be retained by the employer and made available for inspection by U.S. Government officials as specified in the "USCIS Privacy Act Statement" below.</p>
Page 2	<p>USCIS Forms and Information</p> <p>To order USCIS forms, you can download them from our website at www.uscis.gov/forms or call our toll-free number at 1-800-870-3676. You can obtain information about Form I-9 from our website at www.uscis.gov or by calling 1-888-464-4218.</p> <p>Information about E-Verify, a free and voluntary program that allows participating employers to electronically verify the employment eligibility of their newly hired employees, can be obtained from our website at www.uscis.gov/e-verify or by calling 1-888-464-4218.</p> <p>General information on immigration laws, regulations, and procedures can be obtained by telephoning our National Customer Service Center at 1-800-375-5283 or visiting our Internet website at www.uscis.gov.</p>	<p>Page 6,</p> <p>USCIS Forms and Information</p> <p>For more detailed information about completing Form I-9, employers and employees should refer to the <i>Handbook for Employers: Instructions for Completing Form I-9 (M-274)</i>.</p> <p>You can also obtain information about Form I-9 from the USCIS Web site at www.uscis.gov/I-9 Central, by emailing USCIS at I-9Central@dhs.gov, or by calling 1-888-464-4218. For TDD (hearing impaired), call 1-877-875-6028.</p> <p>To obtain USCIS forms or the <i>Handbook for Employers</i>, you can download them from the USCIS Web site at www.uscis.gov/forms. You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning the USCIS National Customer Service Center at 1-800-375-5283. For TDD (hearing impaired) call: 1-800-767-1833.</p>

		<p>Information about E-Verify, a free and voluntary program that allows participating employers to electronically verify the employment eligibility of their newly hired employees, can be obtained from the USCIS Web site at www.dhs.gov/E-Verify, by e-mailing USCIS at E-Verify@dhs.gov or by calling 1-888-464-4218. For TDD (hearing impaired), call 1-877-875-6028.</p> <p>Employees with questions about Form I-9 and/or E-Verify can reach the USCIS employee hotline by calling 1-888-897-7781. For TDD (hearing impaired), call 1-877-875-6028.</p>
	<p>Page 2,</p> <p>Photocopying and Retaining Form I-9</p> <p>A blank Form I-9 may be reproduced, provided both sides are copied. The Instructions must be available to all employees completing this form. Employers must retain completed Form I-9s for three years after the date of hire or one year after the date employment ends, whichever is later.</p> <p>Form I-9 may be signed and retained electronically, as authorized in Department of Homeland Security regulations at 8 CFR 274a.2.</p>	<p>Page 6,</p> <p>Photocopying and Retaining Form I-9</p> <p>A blank Form I-9 may be reproduced, provided all sides are copied. The instructions and Lists of Acceptable Documents must be available to all employees completing this form. Employers must retain each employee's completed Form I-9 for as long as the individual works for the employer. Employers are required to retain the pages of the form on which the employee and employer enter data. If copies of the documentation presented by the employee are made, those copies must also be kept with the form. Once the individual's employment ends, the employer must retain this form for either 3 years after the date of hire or 1 year after the date employment ended, whichever is later.</p> <p>Form I-9 may be signed and retained electronically, in compliance with Department of Homeland Security regulations at 8 CFR 274a.2.</p>
Page 3	<p>Privacy Act Notice</p> <p>The authority for collecting this information is the Immigration Reform and Control Act of 1986, Pub. L. 99-</p>	<p>Page 6,</p> <p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The authority for collecting this information is the Immigration Reform and Control Act of 1986, Pub. L. 99-</p>

	<p>603 (8 USC 1324a).</p> <p>This information is for employers to verify the eligibility of individuals for employment to preclude the unlawful hiring, recruiting or referring for a fee, of aliens who are not authorized to work in the United States.</p> <p>This information will be used by employers as a record of their basis for determining eligibility of an employee to work in the United States. The form will be kept by the employer and made available for inspection by authorized officials of the Department of Homeland Security, Department of Labor and Office of Special Counsel for Immigration-Related Unfair Employment Practices.</p> <p>Submission of the information required in this form is voluntary. However, an individual may not begin employment unless this form is completed, since employers are subject to civil or criminal penalties if they do not comply with the Immigration Reform and Control Act of 1986.</p>	<p>603 (8 USC 1324a).</p> <p>PURPOSE: This information is collected by employers to comply with the requirements of the Immigration Reform and Control Act of 1986. This law requires that employers verify the identity and employment authorization of individuals they hire for employment to preclude the unlawful hiring, or recruiting or referring for a fee, of aliens who are not authorized to work in the United States.</p> <p>DISCLOSURE: Submission of the information required in this form is voluntary. However, failure of the employer to ensure proper completion of this form for each employee may result in the imposition of civil or criminal penalties. In addition, employing individuals knowing that they are unauthorized to work in the United States may subject the employer to civil and/or criminal penalties.</p> <p>ROUTINE USES: This information will be used by employers as a record of their basis for determining eligibility of an employee to work in the United States. The employer will keep this form and make it available for inspection by authorized officials of the Department of Homeland Security, Department of Labor, and Office of Special Counsel for Immigration-Related Unfair Employment Practices.</p>
Page 3	<p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 12 minutes per response, including the time for reviewing instructions and completing and submitting the form. U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529-2210; OMB No. 1615-0047. Do not mail your completed Form I-9 to this</p>	<p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 35 minutes per response, including the time for reviewing instructions and completing and retaining the form.U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Avenue, NW, Washington, DC 20529-2020; OMB No. 1615-0047. Do not mail your completed Form I-9</p>

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