Form I-9: H-1B Extensions
H-1B Continuing Employment with the Same Employer

- For an H-1B worker to continue working for you beyond the expiration of his or her current H-1B status, indicated by the expiration date on his or her Form I-94, you must request an extension of stay before his or her H-1B status expires.

- Upon submitting a timely filed Form I-129 petition seeking an extension of the employee’s status to USCIS, the employee is authorized to continue to work while the petition is being processed for a period not to exceed 240 days, or until USCIS denies your petition, whichever comes first.

- International Faculty & Scholar Services (IFSS) will send the Notice of Nonimmigrant Filing and the Notification of Approved Petition once USCIS approves the application/petition for an extension of stay along with a copy of Form I-797(A), which includes an expiration date and an attached Form I-94, Arrival/Departure Record.
H-1B Continuing Employment with the Same Employer

• Departments must reverify the employee’s employment authorization in Section 3 once you receive a decision on the H-1B petition or by the end of the 240-day period, whichever comes first.
  – Have the employee complete Section 1 of the I-9. Record the document title, number and expiration date listed on the I-797A/I-94 form in Section 3 of Form.

• Payroll Services contacts departments starting 120 days in advance of the expiration date of Forms I-9. If the decision on the H-1B petition has not been received prior to the current expiration date, the department should send the Notice of Nonimmigrant Filing to Payroll Services to extend the expiration date of the Form I-9. Payroll Services will make the correct notations on the current Form I-9 for this interim period.
H-1B Continuing Employment with the Same Employer

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

<table>
<thead>
<tr>
<th>Print Name: Last</th>
<th>First</th>
<th>Middle Initial</th>
<th>Maiden Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doe</td>
<td>John</td>
<td>Apt. #</td>
<td>A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address (Street Name and Number)</th>
<th>Apt. #</th>
<th>Date of Birth (month/day/year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>123 Main Street</td>
<td>1</td>
<td>01/01/1952</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
<th>Social Security #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington</td>
<td>DC</td>
<td>2011</td>
<td>000-00-0000</td>
</tr>
</tbody>
</table>

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)
- [X] A lawful permanent resident (Alien #)

An alien authorized to work (Alien # or Admission #) I-94 #000000

<table>
<thead>
<tr>
<th>Date (month/day/year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/03/2011</td>
</tr>
</tbody>
</table>

Employee's Signature

- Employee completes Section 1
- An alien authorized to work (Alien# or Admission #): Comes from the employee’s I-94 form.
- Alien authorized to work until: Comes form the employee’s I-94 form.
H-1B Continuing Employment with the Same Employer

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

<table>
<thead>
<tr>
<th>A. New Name (if applicable)</th>
<th>B. Date of Rehire <em>(month/day/year)</em> (if applicable)</th>
</tr>
</thead>
</table>

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:** Form I-797A
- **Document #:** USCIS Receipt Number
- **Expiration Date (if any):** Form I-797A

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.

<table>
<thead>
<tr>
<th>Signature of Employer or Authorized Representative</th>
<th>Date <em>(month/day/year)</em></th>
</tr>
</thead>
</table>

- **Doc. Title:** Form I-797A
- **Document #:** USCIS Receipt Number
- **Expiration date:** Write date from Form I-797A/I-94
Web Resources

I-9 Handbook for Employers

http://www.uscis.gov/files/form/m-274.pdf

Online Form I-9 Training

http://payroll.tamu.edu/docs/general/Form-I9-Training-Website.swf

Form I-9 with instructions


I-9 FAQ’s

http://texasamucfo.custhelp.com/app/answers/list/p/132/

I-9 Form Processing Flowchart

http://payroll.tamu.edu/docs/general/393I9Flowchart.pdf

Flowchart - Guidelines for Completing the I-9 Form

http://payroll.tamu.edu/docs/general/394I9Guidelines.pdf
Help!

- Payroll Processing Teams
  - PhD: 845-2782 or 845-2787
  - CEO: 845-2760 or 845-2797
  - payrollprocessing@tamu.edu

- IFSS
  - 862-1719 or ifss@tamu.edu
  - http://ifss.tamu.edu

- ISS
  - 845-1824 or iss@tamu.edu
  - http://iss.tamu.edu