The New Form I-9
What You Need To Know
Introducing the New Form I-9

• New Form I-9 is now 2 pages long, with 6 pages of instructions and 1 page of the List of Acceptable Documents

• Previously accepted versions (Rev. 02/02/09 and Rev. 08/07/09) will not be accepted after May 6, 2013. Technical/correctional violation can be given if wrong version is used.

• The M-274 Handbook for Employers has also been revised http://www.uscis.gov/files/form/m-274.pdf
Section 1: Employee Information

- Re-designed top area of the form.
  - Added U.S. Department of Homeland Security Seal
  - Name in center doesn’t have Form I-9 it is now on the right margin.
  - Expiration date is a few years from now.
- Added ‘Family Name’ in parentheses next to Last Name and ‘Given Name’ in parentheses next to First Name.
- Can’t use P.O. Box for home address.
- Requirements are still that the employee must complete section 1 even though the employer retains the liability for ensuring the employee completes it correctly.
Section 1: Employee Information

- Replaced Verification with Attestation.
- First day of employment, but not before accepting a job offer.
- Maiden Name field is now “Other Names used (if any)”.
- Email address and telephone number are optional. Mentioned in instructions but not marked as optional on form.
Section 1: Employee Information

• Instructions have definitions of Statuses.
• 3\textsuperscript{rd} block USCIS Number for now the A# without the A prefix.
• 4\textsuperscript{th} block: Include Foreign Passport Number and Country of Issuance if documents (i.e. I-94, I-797) were issued by Customs and Border Protection CBP.
• Barcode for future smart form.
Section 1: Employee Information

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 Registration Number/USCIS Number): ____________________________
- An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy) ________________________
  (See instructions)
  For aliens authorized to work, provide your Alien Registration Number/USCIS Number OR Form I-94 Admission Number:
  1. Alien Registration Number/USCIS Number: ____________________________
  OR
  2. Form I-94 Admission Number: ____________________________

If you obtained your admission number from CBP in connection with your arrival in the United States, include the following:

Foreign Passport Number: ____________________________
Country of Issuance: ____________________________

Some aliens may write "N/A" on the Foreign Passport Number and Country of Issuance fields. (See instructions)

Signature of Employee: ____________________________
Date (mm/dd/yyyy): ____________________________

- Attestation under penalty of perjury.
- Fourth box has extra fields.
- Signature and Date at better spot.
Section 1: Employee Information

- i.e. I-94 has name of the office who issued the form at the bottom.
Section 1: Preparer/Translator

- Must be completed if employee receives assistance.
- They want an evident trail to know who helped.
- Employee must still sign Section 1.
Section 2: Employer Review and Verification

New Header area at the top

Expanded document area

Attestation has new formatting
Section 2: Top Header

Section 2. Employer or Authorized Representative Review and Verification

(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR examine a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents" on the next page of this form. For each document you review, record the following information: document title, issuing authority, document number, and expiration date, if any.)

Employee Last Name, First Name and Middle Initial from Section 1:

- To be completed by the Employer or employer’s representative.
- Complete and sign within 3 business days of the employee’s first day of employment.
- Must physically examine original documents.
- New Section for employee’s name.
Section 2: Document List

- Employer must physically examine one document from List A OR a combination of one document from List B and one from List C.
- Employee must be physically present with the examiner of the documents during the examination of the employee’s documents.
- Extra lines are included for List A (as applicable for FNs).
List of Acceptable Documents

- All documents should be unexpired with a few exceptions.
- List A #5 has New format Handbook page 6 gives guidance.
- List C #1 contains examples of restricted SS cards which are not acceptable.

**LISTS OF ACCEPTABLE DOCUMENTS**

All documents must be UNEXPIRED

Employees may present one selection from List A and/or a combination of one selection from List B and one selection from List C.

<table>
<thead>
<tr>
<th>LIST A</th>
<th>Documents that Establish Both Identity and Employment Authorization</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. U.S. Passport or U.S. Passport Card</td>
<td></td>
</tr>
<tr>
<td>2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</td>
<td></td>
</tr>
<tr>
<td>3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa</td>
<td></td>
</tr>
<tr>
<td>4. Employment Authorization Document that contains a photograph (Form I-766)</td>
<td></td>
</tr>
<tr>
<td>5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status:</td>
<td></td>
</tr>
<tr>
<td>a. Foreign passport; and</td>
<td></td>
</tr>
<tr>
<td>b. Form I-94 or Form I-94A that has the following:</td>
<td></td>
</tr>
<tr>
<td>(1) The same name as the passport; and</td>
<td></td>
</tr>
<tr>
<td>(2) An endorsement of the alien’s nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.</td>
<td></td>
</tr>
<tr>
<td>6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-04 or Form I-04A, indicating nonimmigrant admission under the Compact of Free Association between the United States and the FSM or RMI</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LIST B</th>
<th>Documents that Establish Identity</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LIST C</th>
<th>Documents that Establish Employment Authorization</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A Social Security Account Number card, unless the card includes one of the following restrictions:</td>
<td></td>
</tr>
<tr>
<td>(1) NOT VALID FOR EMPLOYMENT</td>
<td></td>
</tr>
<tr>
<td>(2) VALID FOR WORK ONLY WITH INS AUTHORIZATION</td>
<td></td>
</tr>
<tr>
<td>(3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION</td>
<td></td>
</tr>
<tr>
<td>2. Certification of Birth Abroad issued by the Department of State (Form FS-545)</td>
<td></td>
</tr>
<tr>
<td>3. Certification of Report of Birth issued by the Department of State (Form DS-1250)</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>5. Native American tribal document</td>
<td></td>
</tr>
<tr>
<td>6. U.S. Citizen ID Card (Form I-197)</td>
<td></td>
</tr>
<tr>
<td>7. Identification Card for Use of Resident Citizen in the United States (Form I-179)</td>
<td></td>
</tr>
<tr>
<td>8. Employment authorization document issued by the Department of Homeland Security</td>
<td></td>
</tr>
</tbody>
</table>

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

Refer to Section 2 of the instructions, titled “Employer or Authorized Representative Review and Verification,” for more information about acceptable receipts.
Section 2: Certification

Certification

I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee’s first day of employment (mm/dd/yyyy): [blank] (See instructions for exemptions.)

<table>
<thead>
<tr>
<th>Signature of Employer or Authorized Representative</th>
<th>Date (mm/dd/yyyy)</th>
<th>Title of Employer or Authorized Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name (Family Name)</td>
<td>First Name (Given Name)</td>
<td>Employer’s Business or Organization Name</td>
</tr>
<tr>
<td>Employer’s Business or Organization Address (Street Number and Name)</td>
<td>City or Town</td>
<td>State</td>
</tr>
</tbody>
</table>

- Section 2 must be completed no later than 3 business days after the employee begins work for pay “Thursday Rule”.
- First day of employment has been clarified and made more prominent.
- New form has separate fields for employer’s address.
- Employer or authorized representative attests to physically examining the documents provided.
Section 2: Re-verification & Rehires

- U.S. Citizens & Legal Permanent Residents should never be re-verified. i.e. Expires U.S passport or passport card, Alien Registration Receipt Card/Permanent Resident Card (Form I-551) or List B document that has expired.
- You re-verify List A or B not Lisc C (Identity).
- New Field: Print Name of Employer or Authorized Representative