

## FORM I-9: A BRIEF OVERVIEW



by

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As an employer, pursuant to Section 274A of the Immigration and Nationality Act, your company must verify the identity and employment eligibility of each person you hire after November 6, 1986 by completing and retaining a Form I-9. The purpose of this form is to document that each new employee (both citizen and non-citizen) hired after November 6, 1986 is authorized to work in the United States. The law requires you, as an employer, to ensure that your employees fill out Section 1 of the Form I-9 when they start to work, review the document(s) establishing each employee's identity and eligibility to work, and properly complete Section 2 of the Form I-9. You must retain the Form I-9 for 3 years after the date the person begins work or 1 year after the person's employment is terminated, whichever is later.

In 2007, the Department of Homeland Security revised the Form I-9 and the attached list of documents that are acceptable to prove the identity and employment eligibility of a new hire. As of December 2007, the revised Form I-9 must be used.

The finalized List of Acceptable Documents is as follows:

<b>LIST A</b> Documents that Establish Both Identity & Employment Eligibility	<b>LIST B</b> Documents that Establish Identity	<b>LIST C</b> Documents that Establish Employment Eligibility
1. U.S. Passport (unexpired or expired)	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. U.S. Social Security card issued by the Social Security Administration (other than a card stating that it is not valid for employment)
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 or Form DS-13150)
3. An unexpired foreign passport with a temporary I-551 stamp	3. School ID card with photograph 4. Voter's registration card 5. U.S. Military card or draft record 6. Military dependent's ID card	3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official

		seal.
4. An unexpired Employment Authorization document that contains a photograph (Forms I-766I, I-688, I-688A, I-688B)	7. U.S. Coast Guard Merchant Mariner Card	4. Native American Tribal Document
	8. Native American Tribal Document	5. U.S. Citizen ID card (Form I-197)
5. An unexpired foreign passport with an unexpired Arrival-Departure Record, Form I-94, bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, if that status authorizes the alien to work for the employer.	9. Driver's license issued by a Canadian government authority	6. ID Card for use of Resident Citizen in the United States (Form I-179)
	For persons under age 18 who are unable to present a document listed above:	
	10. School record / report card	7. Unexpired employment authorization document issued by DHS (other than those listed under List A)
	11. Clinic, doctor or hospital record	
12. Day-care nursery school record		

For more information on your responsibilities as an employer, please refer to the Department of Homeland Security's Handbook for Employers at <http://www.uscis.gov/files/nativedocuments/m-274.pdf>.

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*This article should not be taken as legal advice for any individual case or situation. This information is intended to be general and should not be relied upon for any specific situation. For legal advice, consult an attorney experienced in immigration law.*