A Quick Reference Guide

Employment Eligibility Verification (Form I-9)

Presented by
Human Resources Records
and
Human Resources Information Technology

UNIVERSITY OF NEBRASKA
Medical Center
NEBRASKA'S HEALTH SCIENCE CENTER
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Who is eligible for employment

We can hire F-1 Students, J-1 Students and J-1 Teachers/Researchers with the limitations listed in the table below.

<table>
<thead>
<tr>
<th>Visa Status</th>
<th>Limitations</th>
<th>Documents Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>F-1 Academic Student</strong></td>
<td>1. 20 hrs/wk on campus while enrolled in full course of study; full-time during vacation periods eligible for enrollment following quarter</td>
<td>• Foreign passport or List B Document</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Form I-94 marked F-1 D/S and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Unexpired Form I-20 with UNMC as the designated school</td>
</tr>
<tr>
<td></td>
<td>2. Full-time during periods of curricular training in field of study or with other special authorization</td>
<td>• Foreign passport or List B Document</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Form I-94 marked F-1 D/S and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Unexpired Form I-20 with UNMC as the designated school</td>
</tr>
<tr>
<td></td>
<td>3. Full-time during periods of optional practical training</td>
<td>Unexpired Employment Authorization</td>
</tr>
<tr>
<td><strong>H-1B and TN Temporary Worker</strong></td>
<td>Per terms and conditions of approved filling with BCIS by the hiring department</td>
<td>• Foreign passport or List B Document</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Form I-94 marked H-1B or TN with UNMC as the designated employer</td>
</tr>
<tr>
<td><strong>J-1 Exchange Students</strong></td>
<td>1. 20 hrs/wk on campus while enrolled in full course of study; full-time during vacation periods eligible for enrollment following quarter</td>
<td>• Foreign passport or List B Document</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Form I-94 marked J-1 D/S and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Unexpired Form DS-2019 (formally IAP-66) with UNMC as the sponsor</td>
</tr>
<tr>
<td></td>
<td>2. Full-time during periods of academic training</td>
<td>• Foreign passport or List B Document</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Form I-94 marked J-1 D/S and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Unexpired Form DS-2019 (formally IAP-66) from the sponsoring program with authorization of Form DS-2019 for academic training at UNMC or letter if this information is not on the Form DS-2019</td>
</tr>
<tr>
<td><strong>J-1 Visiting Faculty and Researchers</strong></td>
<td>Full-time per terms and conditions of Forms DS-2019 (formally IAP-66)</td>
<td>• Foreign passport or List B Document</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Form I-94 marked J-1 D/S and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Unexpired Form DS-2019 (formally IAP-66) with UNMC as the sponsor</td>
</tr>
<tr>
<td><strong>J-2 Family of Exchange Visitor</strong></td>
<td>Yes</td>
<td>Unexpired Employment Authorization Document (Form I-688b or I-766)</td>
</tr>
</tbody>
</table>
Other Visas Eligible for Employment

- **O-1** Persons of extraordinary ability
- **Refugee**
  - √ For 90 days following entry in the U.S. use Form I-94 containing refugee admission stamp
  - √ After 90 days, document(s) from List A, or List B and List C

**Employment Authorization Card (EAD)**

Most people with an unexpired Employment Authorization Card (EAD) are eligible for employment. EADs for OPTIONAL PRACTICAL TRAINING have restrictions regarding field of study and degree requirements.

In May 1995, some INS offices began issuing a modified I-688B. The most significant change was to the card stock which was changed from the Polaroid process to a synthetic material called Teslin on which the biometric and biographic data of the bearer are printed. Note that on this version, the name is printed on two lines.

In August 1995 changes were made to the software which prints the I-688Bs and the name reverted to the one line format similar to the original card.

In January 1997, INS began issuing a new Employment Authorization Document, Form I-766. The new card is a credit card type of document. The front of the card contains a photo, fingerprint and signature of the rightful holder. The reverse contains a standard bar code, magnetic strip and a two-dimensional bar code which will contain unique card, biographic and biometric data.
### Employment Eligibility Verification (Form I-9)

#### Sample SEVIS Form I-20 Front

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Family Name</td>
<td>Surname</td>
</tr>
<tr>
<td>Given Name</td>
<td>Given Name</td>
</tr>
<tr>
<td>Middle Name</td>
<td>Middle Name</td>
</tr>
<tr>
<td>Country of Birth</td>
<td>Date of Birth (mm/dd/yyyy)</td>
</tr>
<tr>
<td>Country of Citizenship</td>
<td>Admission Number</td>
</tr>
<tr>
<td>2. School</td>
<td>University of Minnesota, Twin Cities</td>
</tr>
<tr>
<td>School Official to be notified of student's arrival in U.S. (Name and Title)</td>
<td></td>
</tr>
<tr>
<td>School Address (Include zip code)</td>
<td>East 30th St, Minneapolis, MN 55455</td>
</tr>
<tr>
<td>School Code, Including 3-digit suffix, if any, and approval date</td>
<td></td>
</tr>
<tr>
<td>3. This certificate is issued to the student named above for</td>
<td></td>
</tr>
<tr>
<td>4. Level of Education</td>
<td></td>
</tr>
<tr>
<td>5. The student named above has been accepted for a full course of study at this school, majoring in</td>
<td></td>
</tr>
<tr>
<td>The student is expected to report to the school no later than <strong><strong><strong>/</strong>__/</strong></strong>. The normal length of study is ______ months.</td>
<td></td>
</tr>
<tr>
<td>6. English proficiency</td>
<td></td>
</tr>
<tr>
<td>This school requires English proficiency. The student has the required English proficiency.</td>
<td></td>
</tr>
<tr>
<td>7. This school estimates the student's average costs for an academic term of 12 months (up to 12) to be:</td>
<td></td>
</tr>
<tr>
<td>a. Tuition and fees</td>
<td>$2,606.00</td>
</tr>
<tr>
<td>b. Living expenses</td>
<td>$9,300.00</td>
</tr>
<tr>
<td>c. Expenses of dependents (if any)</td>
<td>$0.00</td>
</tr>
<tr>
<td>d. Other (specify):</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total</td>
<td>$12,906.00</td>
</tr>
<tr>
<td>8. This school has information showing the following as the student's means of support, estimated for an academic term of 12 months (Use the same number of months given in item 7).</td>
<td></td>
</tr>
<tr>
<td>a. Student's personal funds</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>b. Funds from this school</td>
<td>$0.00</td>
</tr>
<tr>
<td>Specify type:</td>
<td></td>
</tr>
<tr>
<td>c. Funds from another source</td>
<td>$0.00</td>
</tr>
<tr>
<td>d. Off-campus employment</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>9. Remarks</td>
<td></td>
</tr>
<tr>
<td>10. School Certification: I certify under penalty of perjury that all information provided above in items 1 through 9 was completed before I signed this form and is true and correct. I certify that this form was completed by me and is true and correct to the best of my knowledge. I certify that I</td>
<td></td>
</tr>
<tr>
<td>Name of School Official</td>
<td>Signature of Designated School Official</td>
</tr>
<tr>
<td>Date Issued</td>
<td>Place Issued (City and State)</td>
</tr>
<tr>
<td>11. Student Certification: I have read and agreed to comply with the terms and conditions of my admission and those of any extension of stay as specified on page 2. I certify that all information provided on this form refers specifically to me and is true and correct to the best of my knowledge. I certify that</td>
<td></td>
</tr>
<tr>
<td>Name of Student</td>
<td>Signature of Student</td>
</tr>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Name of Parent or Guardian</td>
<td>Signature of Parent or Guardian</td>
</tr>
<tr>
<td>Address (City)</td>
<td>Address (State or Province) (Country) (Date)</td>
</tr>
</tbody>
</table>

Form I-20 A-R (Rev. 04-27-88)N

For Official Use Only
Microfilm Index Number
This is a signature for reentry to the U.S. It is valid for one year as long as the information on the front of your I-20 remains accurate. Note: you must have a valid F-1 entry visa stamp when reentering from overseas.
Notes on Form I-20 for F-1 and F-2 Visas

- F-2 visa holders are the spouse or children of an F-1 student.
- F-2 (dependent) visa holders cannot be employed.
- Check the form to ensure it is the student (F-1) and is not the dependent (F-2).

- Ensure your sponsoring school is listed in Section 2.

5. The student named above has been accepted for a full course of study at this school, majoring in _______________________.
   The student is expected to report to the school no later than 06/07/2002 and complete studies not later than 08/07/2007. The normal length of study is _______ 60 _______ months.
Example of Form DS-2019 J-1 Visas
Example of Form DS-2019 J-2 Visa
Notes on Form DS-2019 for J-1 and J-2 Visas

• A J-2 visa holder is the spouse or child of a J-1 visa holder.
• J-2 Visa holder **MUST** possess an **unexpired** Employment Authorization Card (EAD) to be eligible for employment.
• Check the form to ensure it is the J-1 visa holder and **NOT** the dependent.

• Check the form to ensure it is the J-1 visa holder and **NOT** the dependent.

• Check begin and end dates in Section 3.
I-94 Form Used with Passport

When an alien has been granted admission into the U.S. by an Immigration Inspector at an authorized Port of Entry, he/she will be issued a Form I-94 (white), Arrival/Departure Record, Form I-94W (green), Nonimmigrant Visa Waiver Arrival/Departure Form, or Form I-94A-OT Arrival Record (looks like an airline boarding pass) which is stapled to a page in the passport. This document will explain how long the bearer may remain and the terms of admission.

The location of the Admission Number in the upper left corner is the same for the I-94 and I-94W forms.

The location of the Admission Number in the bottom is the same for the Automated I-94A-OT form.
I-9 Form Section 1

• To be completed and signed by employee prior to or on the first day of work.
• F-1 visa holders will use the ending date from their I-20, line 5.
• J-1 visa holders will use the ending date from their DS-2019, line 3.
• Admission number comes from their I-94 card

I-9 Form Section 2

• Must be completed by department before or within 3 business days of hire date.
• Examine one document from List A OR examine one document List B and one from List C. No more, no less. Doing more can result in being fined for harassment.
• F-1, J-1, H-1b, and O-1 visa holders will usually present their passport and I-94 (F-1 must be accompanied by Form I-20, H-1B must be accompanied by Form I-797 and J-1 must be accompanied by Form DS-2019 (formally IAP-66)).
• Use the first day of actual work as the employment begin date in the “CERTIFICATION” section.

I-9 Form Receipts

• If the employee cannot present the necessary documents for Section 2 within 3 days, they must present a receipt for the application for the documents within 3 days. They then have 90 days from date of hire to present the actual documents.
I-9 Form Anti-discrimination Provisions

• We cannot request that an employee present more or different documents than required.
• Also, we cannot refuse to honor documents which on their face reasonably appear to be genuine and relate to the person presenting them.
• The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

I-9 Form Common Errors

• Complete list A using the passport page, do not use the visa page.
• Do not leave the citizenship field blank.
• Only use I-9 forms that are copied front and back.
• Be sure to enter the employment begin date.
• Do not use the copies or faxes to complete the I-9, use original documents.
• Have the employee complete Section 1 before or on the first day of employment.

Penalties for Prohibited Practices

• Fine of not less than $100 and not more than $1000 for each employee for whom the Form I-9 was not properly completed, retained and/or made available for inspection.
• Fines up to $3,000 per employee and/or 6 months imprisonment for knowingly hiring or continuing to employ unauthorized aliens.
# Employment Eligibility Verification (Form I-9)

## Example of Form I-9 Back

### Lists of Acceptable Documents

**List A**
Documents that Establish Birth Identity and Employment Authorization

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 notice 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

**List B**
Documents that Establish Identity

1. Driver’s license or ID card issued by a State or territory of the United States that contains a photograph or information such as name, date of birth, gender, height, eye color, and address

2. ID card issued by a federal, state, or local government agency or entity that 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

10. School record or report card

11. Clinic, doctor, or hospital record

12. Day-care or nursery school record

**List C**
Documents that Establish Employment Authorization

1. Social Security Account Number card other than one that specifies on the face that issuance of the card does not authorize employment in the United States

2. Certification of Birth Abroad issued by the Department of State (Form FS-245)

3. Certification of Report of Birth issued by the Department of State (Form DS-11520)

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. Native American tribal document

6. U.S. Citizen ID Card (Form I-197)

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

8. Employment authorization document issued by the Department of Homeland Security

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)
Form I-9 Instructions

Instructions

Read all instructions carefully before completing this form.

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 the individual's national origin or citizenship status. 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 presented have a future expiration date may also constitute illegal discrimination. For more information, call the Office of Special Counsel for Immigration-Related Employment Practices at 1-800-255-4155.

What Is the Purpose of This Form?

The purpose of this form is to document that each new employee (both citizens and noncitizens) hired after November 6, 1986, is authorized to work in the United States.

Where 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.

Filling Out Form I-9

Section I, Employee

This part of the form must be completed no later than the time of hiring, 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 I is timely and properly completed.

Noncitizen Nationals 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 citizens of noncitizen nationals born abroad.

Employers should note the work authorization expiration date (if any) shown in Section I. For employees who indicate an employment authorization expiration date in Section I, 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., exchange, 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...
Form I-9 Instructions

For more detailed information, you may refer to the USCIS Handbook for Employers (Form M-274). You may obtain the handbook using the contact information found under the heading "USCIS Forms and Information."

Section 3, Updating and Reverification

Employers must complete Sections 3 when updating and/or revalidating 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). Employers CANNOT specify which document(s) they will accept from an employee.

A. If an employee's name has changed at the time this form is being updated/reverified, complete Block A.

B. If an employee is retained 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.

C. If an employee is retained 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 authorization is about to expire (reverification), complete Block B and:

1. Review 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.

Note that for reverification purposes, employers have the option of completing a new Form I-9 instead of completing Section 3.

What Is the Filing Fee?

There is no associated filing fee for completing Form I-9. This form is not filled 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.

USCIS Forms and Information

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.

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.

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.

Photocopying and Retaining Form I-9

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-9 for three years after the date of hire or one year after the date employment ends, whichever is later.

Form I-9 may be signed and retained electronically, as authorized in Department of Homeland Security regulations at 8 CFR 274a.2.

Privacy Act Notice

The authority for collecting this information is the Immigration Reform and Control Act of 1986, Pub. L. 99-609 (8 USC 1324a).

This information is for employers to verify the eligibility of individuals for employment to prevent the unlawful hiring, recruiting, or referring for a fee, of aliens who are not authorized to work in the United States.

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.

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.
Form I-9 Instructions

**Paperwork Reduction Act**

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. Send comments regarding this burden estimate to any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., 4th Floor, Suite 2008, Washington, DC 20528-2210. OMB No. 1615-0047. Do not send your completed Form I-9 to this address.
Employment Eligibility Verification (Form I-9)

Example of Form I-9 Completed by U.S. Citizen

Section 1. Employment Information and Verification

Print Name: Johnson Robert K
Address (Street Name and Number): 1222 Young Street
City: Omaha State: NE Zip Code: 68112
Social Security #: 123-45-6789

I attest, under penalty of perjury, that the information provided on this form is true and correct.

Employer Signature: [Signature]
Preparer and/or Translator Certification

List A OR List B AND List C

Drivers License

Social Security Card

Social Security Administration

123-45-6789

CERTIFICATION: I attest, under penalty of perjury, that I have examined the documents presented by the above-named employee, that the above-mentioned employee appears to be genuine and to relate to the employee named, that the employee began employment on [Date] 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: [Signature]
Print Name: Anthony J. Hurta
Business or Organization Name and Address: UNMC Offsite, Omaha, NE 68198-5470
Date (Month/Day/Year): 8/35/09

Section 3. Updating and Reverification

Signature of Employee or Authorized Representative: [Signature]
Print Name: [Signature]
Document Title: [Document Title]
Document #: [Document #]
Expiration Date: [Expiration Date]

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) have been examined to be genuine and to relate to the individual.

Form I-9 (Rev. 02/02/09) V Page 4
Example of Form I-9 Completed by Non-U.S. Citizen
(Example Using Permanent Resident Card)
# Employment Eligibility Verification (Form I-9)

## Example of Form I-9 Completed by Non-Resident Alien (Example Using Passport)

### Section 1. Employee Information and Verification

<table>
<thead>
<tr>
<th>Print Name:</th>
<th>List</th>
<th>First</th>
<th>Middle Initial</th>
<th>Maiden Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jones</td>
<td>Mark</td>
<td></td>
<td></td>
<td></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>201 Kent Ave</td>
<td>409</td>
<td>4/8/75</td>
</tr>
</tbody>
</table>

City: Omaha, State: NE, Zip Code: 68103

Social Security #: 132-23-4567

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.

Empire's Signature: [Signature]

Date (month/day/year): 4/8/09

### Section 2. Employer Review and Verification

#### List A
- Document Title: Passport
- Issuing Authority: Republic of China
- Document #: A312432
- Expiration Date (if any): 2/15/10

#### List C
- Document Title: [Not applicable]
- Document #: [Not applicable]
- Expiration Date (if any): [Not applicable]

### Section 3. Updation and Reverification

- A. New Name (if applicable)
- B. Date of Rehire (month/day/year) (if applicable)
- C. Employee's previous use of work authorization has expired, provide information below for the document that establishes current employment authorization.

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) 04/08/09, 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: [Signature]

Date (month/day/year): 4/8/09

Employee's signature: [Signature]

Date (month/day/year): 4/8/09

Employee's signature: [Signature]

Date (month/day/year): 4/8/09

Employee's signature: [Signature]

Date (month/day/year): 4/8/09
Resources

Form I-9 and Instruction Handbook
http://uscis.gov/graphics/formsfee/forms/i-9.htm

SAPPHIRE:
http://sapphire.nebraska.edu

University of Nebraska Medical Center Human Resources Procedures web site:
http://app1.unmc.edu/hr/intra/pro.htm
(must be on campus to access)

University of Nebraska Medical Center Policy web site:
http://info.unmc.edu/policy/homepolicy.html
(must be on campus to access)

U.S. Citizenship and Immigration Services web site:
http://www.uscis.gov
Glossary of Terms

**Alien**: This is an individual living in or visiting the United States who is not a citizen of the U.S.

**Asylee**: A person who has been granted asylum in the United States. This individual applied for this status while in the U.S.

**Bureau of Citizenship and Immigration Services (BCIS)**: Formally the department of Immigration and Naturalization (INS), this is the governmental agency which is authorized to control and enforce immigration rules and regulations. They grant permission to entry and the border and process changes in status.

**Calendar Year**: A method of counting presence in the United States for tax purposes. A person is considered in the US a calendar year if present at any time between January 1: December 31.

**Compensation**: A payment in exchange for services rendered.

**FICA Tax**: This is a tax imposed by the United States. It is a combination of a retirement pension and medical. These are called OASDI and Medicare. The rates for 1996 are 6.2% for OASDI and 1.45% for Medicare.

**Foreign Source Income**: Income from outside the United States. This type of income is not taxable to nonresidents of the US.

**Form DS-2019**: It is the application for the J-1 visa designation. It describes the purposes and length of stay of the visiting alien.

**Form I-20**: This is the certificate for eligibility for an F-1 student. This forms tracks the individuals education experience while in the United States and is completed by the educational sponsor of the student.

**Form I-94**: This is the arrival/departure card of a visiting individual. It shows the length of permission to stay.

**Form 1001**: This is a form in which fellowship/scholarship payments made to students may be exempted from federal withholding.

**Form 1042s**: This is the document used to report foreign source income.

**Form 1042NR**: This is the tax return filed by a nonresident alien.

**Form 8233**: This is the form used to request exemption from federal withholding due to a tax treaty. It is used by visitors accepting payment for independent personal services and/or employment.
**Honorarium:** This is an award granted in recognition of a special service or distinguished achievement.

**Immigrant:** Someone who has intent to reside in the United States permanently.

**ITIN:** This is a tax payer identification number issued to nonresident individuals unable to obtain a social security number. Effective for tax year 1996, all nonresident must file tax returns with an identification number per IRS.

**Internal Revenue Service (IRS):** This is the governmental agency which has authority to enforce tax rules and regulations.

**Multiple Entry Visa:** Permission to enter the United States using the same visa for the number of times designated on the visa.

**Multiple Indefinite Visa:** Permission to present oneself indefinitely at the border for re-entry on the same status. Laws have currently limited this to a 10 year period.

**Nonresident Alien:** This is the tax status given to a visiting alien who is not a U.S. citizen or a U.S. permanent resident, or some one who has not obtained residency for tax purposes due to the Substantial Presence Test. These individuals are only taxed on their U.S. source income and are required to file a tax return each year for income that they receive.

**Non-immigrant:** An alien who comes to the U.S. temporary for the purpose of study, business, or tourism and has intent to return to their home country. The duration of stay will be indicated on their I-94.

**Original Date of Entry in the U.S.:** The first date that the individual arrived in the U.S. for the primary purpose of the visit.

**Out of Status:** A non-immigrant who entered the U.S. with a legal status but has violated the terms of admission. This could be an overstay, accepting a position when no work authorization has been granted, not working for the sponsor of the visa, etc.

**Permanent Resident Alien:** An individual who has been granted legal permanent residence in the U.S. They are referred to as Immigrants. Generally, these are the only aliens that are allowed to apply for naturalization.

**Resident Alien:** An individual who is a resident for tax purposes due to the Substantial Presence Test calculation.

**Social Security Tax:** See FICA Tax.

**Substantial Presence Test:** A test to determine residency for tax purposes It involves counting the days of presence in the current year and 1st and 2nd preceding years.
**Status**: This is the terms of the individual entry into the United States. It is granted by an INS official at the time of entry. Information is generally noted on the I-94.

**Temporary Resident**: An individual in the process of legalization or amnesty. These individuals usually become permanent residents.

**U.S. Source Income**: Income paid from sources in the United States. This type of income is taxable to nonresidents.

**Visa**: Permission to present oneself at a U.S. border to ask for entry. The decision to let a foreign visitor entered is made by the immigration officer at the point of entry.

**Visa Type**: The type of category that an alien is granted upon entering the U.S. This is also referred to as the "status" of the visitor.

**Undocumented Alien**: A person who enters the United States illegally. This individual may not be employed or accept any payment.

**United States Citizen**: This is the designation given to individual born in the United States or born to U.S. citizens. Individuals may also gain this status through the naturalization process.

**Work**: Any act or service provided by an employee to an employer.
Appendix A

Guide To Selected U.S. Travel and Identity Documents
Prepared by the Forensic Document Laboratory
U.S. Immigration and Customs Enforcement
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This guide is intended to assist those tasked with examining travel and employment authorization documents. It contains color photographs of the most commonly used documents, but it is not comprehensive. There are earlier valid revisions of some illustrated documents and other less common documents that are not illustrated here.

Because the attachments are reproductions, the exact size and color may deviate from the original. Do not make identifications based on size and/or color alone.

For any questions regarding the authenticity of the documents shown in this guide, please contact the nearest office of U.S. Immigration and Customs Enforcement (ICE).
General Information On Alien Status

In accordance with the 14th amendment to the U.S. Constitution, any person born in and subject to the jurisdiction of the United States is a citizen of the United States at birth. U.S. citizenship may also be acquired through DERIVATION from a U.S. citizen parent when children are born abroad or through NATURALIZATION after meeting the necessary residency requirements. All persons not citizens or nationals of the U.S. are aliens, who are generally classified as PERMANENT RESIDENTS (immigrants), NON-IMMIGRANTS or UNDOCUMENTED ALIENS.

PERMANENT RESIDENT ALIENS enjoy almost all the same rights as U.S. citizens. This status may be obtained through a number of different procedures and, unless taken away administratively, is granted for life. Aliens with permanent residency must carry evidence of their status.

NON-IMMIGRANT ALIENS are admitted to the U.S. for a temporary period of time and for a specific purpose, most often as tourists. There are different categories of non-immigrants and they are identified through letter/number symbols (such as “B-2”). Non-immigrants are also required to present evidence of their lawful status in the U.S. to officers of ICE. This will usually consist of a passport containing a visa and an Arrival/Departure Record (Form I-94 or CBP I-94A).

UNDOCUMENTED ALIENS are those who may have crossed the border illegally and/or been smuggled into the interior of the U.S. or those who have violated their non-immigrant status by accepting unauthorized employment, remaining longer than permitted or committing some other violation. Some of these aliens purchase counterfeit documents or assume another person’s identity by using fraudulently obtained genuine documents.
A UNITED STATES PASSPORT is a document issued by the Department of State to persons who have established citizenship in the United States by birth, derivation or naturalization. The primary purpose of the passport is to facilitate travel to foreign countries by establishing U.S. citizenship and acting as a vehicle to display any visas and/or entry/exit stamps that may be necessary.

Passports may also be used within the United States to establish citizenship, identity and employment eligibility.

Several different versions of the U.S. passport are currently valid and in circulation at this time. The most recent version, called the E-Passport, contains an electronic chip in the back cover. These passports can be identified by the chip logo on the front cover.
The Emergency Passport booklet looks similar to the E-Passport, but it does not contain a chip and is only issued for a limited period of validity.

Older versions of the U.S. passport remain valid until the expiration dates printed in the passport booklet.
The current version of the CERTIFICATE OF NATURALIZATION, now issued by U.S. Citizenship and Immigration Services (USCIS), is similar to the previous version issued by the Immigration and Naturalization Service. It contains a gold embossed Great Seal of the United States in the top center portion. The watermark design, visible when the document is held up to a strong light, contains the emblem of the Department of Homeland Security (DHS).
Older versions of the certificate of naturalization continue to serve as valid evidence of U.S. citizenship. The last version issued by the INS was similar to the current DHS certificate. It too bore a gold embossed Great Seal of the United States in the top center portion. The watermark design contained the the Department of Justice seal and the letters “USA.”

Department of Justice watermark

Earlier versions of the certificate had gray or beige background designs and did not contain the embossed seal. Original certificates of naturalization were printed on watermarked paper.
Forms I-151 and I-551 are issued to aliens who have been granted permanent resident status in the United States. They retain this status while in this country. The bearer is required to have this card in his/her possession at all times.

The first ALIEN REGISTRATION RECEIPT CARD, Form I-151, was introduced in 1946. Through 18 years of various revisions, it remained primarily green in color, causing it to become known as a “Green Card.” This term is still used commonly, although the cards have not been green since 1959. The I-151 cards contained no expiration date and were only required to be renewed if the recipient was under the age of 14 at the time of issuance or if the card was lost or stolen. As of March 20, 1996, the Form I-151 is no longer acceptable as evidence of permanent residence.
The **Resident Alien Card**, Form I-551, was introduced in January 1977 and phased in over a period of time. In addition to the photograph, the I-551 contains the bearer’s signature and fingerprint. As with the older I-151 cards, this version I-551 generally does not contain an expiration date.
The RESIDENT ALIEN CARD, Form I-551, was revised in August 1989. This version was the first Alien Registration Card to contain an expiration date on every card. These cards were usually valid for ten years from the date of issue. The expiration date indicates when the card expires and must be renewed. It does NOT indicate that the alien's status has expired. The card was modified in January 1992 when a white box was added behind the fingerprint.
The **PERMANENT RESIDENT CARD**, Form I-551, was introduced in December 1997. Noticeable differences on the front of the card include a change of card title from **RESIDENT ALIEN CARD** to **PERMANENT RESIDENT CARD**, a three-line machine readable zone and the addition of a hologram.

The optical memory stripe on the reverse contains encoded cardholder information as well as a personalized etching which depicts the bearer's photo, name, signature, date of birth, alien registration number, card expiration date and card number.
The current version of the PERMANENT RESIDENT CARD, Form I-551, was introduced in November 2004. It retains many of the same features of the previous version while updating the design. The card now shows the DHS seal and contains a more detailed hologram on the front of the card.

Form I-551 (2004)

The optical memory stripe on the reverse retains the same features as the previous card version. The stripe contains encoded cardholder information on the card bearer. Each card is personalized with an etching showing the bearer’s photo, name, signature, date of birth, alien registration number, card expiration date and card number.
This EMPLOYMENT AUTHORIZATION DOCUMENT, Form I-688B, was introduced in November 1989 and issued to aliens who were granted permission to be employed in the U.S. for a specific period of time. The card was produced with a Polaroid process and had interlocking gold lines across the front.

Form I-688B

In January 1997, INS began issuing a new EMPLOYMENT AUTHORIZATION CARD, Form I-766. The front of the card bore the photograph, fingerprint and signature of the bearer. The reverse contained a standard bar code, magnetic strip and a two-dimensional bar code which contains unique card, biographic and biometric data.

Form I-766 (1997)
The EMPLOYMENT AUTHORIZATION CARD, Form I-766 was updated in May 2004. It incorporated the DHS seal but is otherwise similar to the previous version, with a photograph, fingerprint and signature of the bearer beneath a holograph film. The reverse side displays a standard bar code, magnetic strip and a two-dimensional bar code containing encoded data. The card was revised again in August 2004, using a full frontal face photograph instead of the three quarter face position. The reverse continues to bear the revision date of 05-2004.
The **U.S. TRAVEL DOCUMENT** is a multipurpose booklet. Notations above the bearer’s image allow identification of the type of document. When issued as a **Permit to Re-Enter Form I-327**, it allows the bearer, a permanent resident, to leave and re-enter the United States during its two-year period of validity. It can also be issued as a **Refugee Travel Document Form I-571** to people who have been recognized as refugees or asylees in the United States. Both versions contain digitized images of the bearer and pages for visas and entry/exit stamps.

**Form I-327 (prior to February 2007)**

**Form I-571 (prior to February 2007)**
The current version of the TRAVEL DOCUMENT booklet was introduced in February 2007. The revised booklet has a darker cover and a new design for the internal pages. The booklet may be issued as either a Permit to Re-Enter or a Refugee Travel Document.
There are four types of **NON-IMMIGRANT VISAS**. The non-machine readable visa is printed with a multicolored ribbon while the machine readable visas are stickers which are applied to the passport page. Visas are used for entry purposes and must be valid on the date of entry into the U.S. It is not necessary for the visa to be valid after entry.
The U.S. Department of State introduced this version of the BORDER CROSSING CARD, Form DSP-150, in May 1998. The front of the card has a three-line machine readable zone and a hologram. Bearers of this card are not entitled to live or work in the United States.

Form DSP-150 (1998)

Reverse

The optical memory stripe contains encoded cardholder information as well as a personalized etching which depicts the bearer's photo, name, date of birth and card expiration date.
When an alien has been granted admission into the U.S. by a U.S. Customs and Border Protection (CBP) Officer at an authorized Port of Entry, he/she will be issued an ARRIVAL/DEPARTURE RECORD, Form I-94, the bottom portion of which is stapled to a page in the alien’s passport. This document shows how long the bearer may remain in the U.S. and the terms of admission. The I-94, not the non-immigrant visa, serves as evidence of legal status.

Form I-94

Nationals of some countries can enter the United States without a visa under the Visa Waiver Program. They are given a green I-94W and permitted to remain in the United States up to 90 days.

Form I-94W
USCIS can extend a period of admission or change a non-immigrant status after an I-94 has been issued. The approval for an extension or change of status is shown on an I-797A Approval Notice.

**Form I-797A**

The lower portion of the form replaces the original I-94, but it does not require any endorsing stamp.
**IMMIGRANT VISAS** are used by people coming to live in the United States. Older versions of the immigrant visa were collected at the time of initial entry. An ADIT stamp impression served as evidence of permanent residence until the immigrant’s residence card was processed.

In 2003 the Department of State began to issue immigrant visas on the same foils used for non-immigrant visas. These foils remain in the bearer’s passport after entry. Initial versions were endorsed with an ADIT stamp.

Later versions contain the endorsement printed directly onto the visa foil. The validity begins on the date the person enters the United States.
Some immigrants may have an impression of an ADIT stamp as proof of permanent residence without an immigrant visa. This stamp serves as evidence of immigrant status until the bearer receives a Permanent Resident Card.

The current USCIS stamp is shown above. ADIT stamps in other formats may also be encountered. Similar stamp impressions are used to demonstrate refugee or asylum status.
Although **SOCIAL SECURITY CARDS** are not immigration documents, they are mentioned here because they are often used as identification and to establish employment authorization.

Social Security cards have been issued since 1936 and have been revised more than 20 times. Originally, the Social Security card contained the seal of the Department of Health, Education, and Welfare. In May 1980, the seal changed to that of the Department of Health and Human Services. In April 1995 the seal was changed again to that of the Social Security Administration. Some counterfeiters have failed to notice these changes.

In October 1983, security features were added to the card. All Social Security cards issued since October 1983 have been printed with raised (intaglio) printing and the signature line consists of microline printing of the words **"SOCIAL SECURITY ADMINISTRATION"** in a repeating pattern.
To order copies of this document, "Form M-396; Guide to Selected U.S. Travel and Identity Documents," please complete the appropriate form and mail or fax to:

Customs and Border Protection  
National Distribution Center  
P.O. Box 68912  
Indianapolis, IN 46268  

Fax: 317-290-3046

For government requests, please use Form CBP-3039. All other requests should use Form CBP-262. Links for these forms may be found in the Forensic Document Laboratory fact sheet posted on ICE's Web site:

www.ice.gov