

Why must United States citizens fill out I-9 Forms?

It is the law. The I-9 Form is designed to determine who is authorized to work in the United States. Its purpose is not to determine who is, and is not a citizen. While all citizens are authorized to work in the United States, it is not always easy to recognize who is, and is not a citizen. We are a diverse people drawing our heritage from every country in the world. Employers cannot simply look at new hires and determine, "who needs to complete a Form I-9, and who doesn't." For this process to be effective, everyone must complete a Form I-9.

Whenever an employer hires an individual (U.S. citizen or non-U.S. citizen) as an employee, the employer is required to complete the I-9 form. An "employee" is defined as "any person who performs labor or services in return for wages or other remuneration." If an employee does not have the proper documentation within three business days of his or her start date, the employer must terminate the employee. (Please note that "three business days" requires an employer to count weekends and holidays as business days if the employer is open for business on those days.) If within this time the employee produces a receipt showing that he or she has applied for a work authorization or identification document, the employee must be given 90 days to produce the required documentation.

List A - Documents that Establish Both Identity and Employment Eligibility

1. U.S. Passport (unexpired or expired)
2. Unexpired foreign passport, with I-551 stamp or attached INS Form I-94 indicating unexpired employment authorization
3. Alien Registration Receipt Card with photograph (INS Form I-151 or I-551)
4. Unexpired Temporary Resident Card (INS Form I-688)
5. Unexpired Employment Authorization Card (INS Form I-688A)
6. Unexpired Employment Authorization Document issued by the INS which contains a photograph (INS Form I-688B)
7. Unexpired Employment Authorization Document (INS Form I-766)

List B - Documents that Establish Identity

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, sex, height, eye color, and address
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, sex, 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

For persons under age 18 who are unable to present a List B document listed above:

1. School record or report card
2. Clinic, doctor, or hospital record
3. Day-care or nursery school record

**List C -
Documents that Establish Employment Eligibility**

1. U.S. Social Security Card issued by the Social Security Administration (other than a card stating it is not valid for employment)
2. Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350)
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. Native American tribal document
5. U.S. Citizen ID Card (INS Form I-197)
6. ID Card for use of Resident Citizen in the United States (INS Form I-179)
7. Unexpired employment authorization document issued by the INS (other than those listed under List A)