



U.S. DEPARTMENT OF JUSTICE  
IMMIGRANT & EMPLOYEE RIGHTS SECTION  
CIVIL RIGHTS DIVISION

# INFORMATION FOR REFUGEES AND ASYLEES ABOUT THE FORM I-9

**E**veryone starting a job as an employee in the United States completes the [Form I-9](#), a government form that employers use to verify your identity and permission to work. This flyer is intended to help you, asylees and refugees, complete the Form I-9 and know your rights in this process. Employers that discriminate against you based on your citizenship status or national origin during this process may be violating part of the Immigration and Nationality Act. This anti-discrimination law is found at [8 U.S.C. § 1324b](#), and the regulations for this law are at [28 C.F.R. Part 44](#).

**For Section 1 of the Form I-9, provide information about yourself.**

Put your name and other information about yourself in Section 1. You may ask someone to help you fill out this section. You must mark a box showing the status that gives you permission to work. Refugees and asylees are considered “aliens authorized to work” so check this box. There is a space for an expiration date next to this box. Because your right to work is permanent, write “N/A” (which means “not applicable”) in the space for the expiration date. You can find more information about filling out Section 1 in the [Form I-9 instructions](#) or by calling the [Immigrant and Employee Rights Section \(IER\)](#) or [U.S. Citizenship and Immigration Services \(USCIS\)](#).

**For Section 2 of the Form I-9, you must show your employer documentation that proves your identity and permission to work.**

The Form I-9 has three lists of documents you can show – [List A](#) (documents showing your identity and permission to work), [List B](#) (documents showing your identity) and [List C](#) (documents showing your permission to work). You must show your employer your choice of either a List A document or a combination of List B and List C documents. Under the [Form I-9 instructions](#) and [regulations](#), some documents, known as receipts, are also acceptable for the Form I-9, for varying lengths of time. You can get more information on Form I-9 document requirements by contacting IER or USCIS, and at [8 U.S.C. § 1324a\(b\)\(1\)\(A\)](#).

You have the right to choose the valid documentation you want to show. Your employer is not allowed to require you to show specific documents based on your status as an asylee or refugee, or based on your national origin, and an employer that requires specific documents may be discriminating in violation of the law. This part of the law is found at [8 U.S.C. § 1324b\(a\)\(6\)](#). For example, although you may have an Employment Authorization Document, I-766 (EAD), you can decide to show other documentation instead, such as a state identification (a List B document) and an unrestricted Social Security card (a List C document). Find more information about your right to choose documents by contacting [IER](#).



**You may have several kinds of valid Form I-9 documents.**

You may show an I-94 for the Form I-9. You will either get your I-94 card or you can print your I-94 from the [Customs and Border Protection](#) website.

If you are a refugee, [your I-94 is a receipt](#) for a List A document that is valid for 90 days from your first day of work. After 90 days, you must show either an EAD or a combination of a List B document and an unrestricted Social Security card. Find more information on using your refugee I-94 by contacting IER and at 8 C.F.R. 274a.2(b)(1)(vi)(C).

If you are an asylee, you can use your I-94 as [a permanent List C](#) document that does not expire.

Asylees and refugees are eligible for EADs. If your EAD has expired but you have applied to renew your EAD, you may be able to keep working with your existing EAD. For 180 days after your EAD expiration date, you can show your EAD with the I-797C receipt notice showing that the government received your EAD renewal application. Call IER for more information.

You may also show receipts for [lost, damaged or stolen](#) documents for jobs that last longer than two days.

Once you show your documentation to complete the Form I-9, an employer is only allowed to ask you for documents again in limited circumstances. The rules for when an employer must ask for documents again are discussed in the [Handbook for Employers](#) and at 8 C.F.R. 274a.2(b)(1)(vii).

If you showed your EAD for Section 2, your employer will ask to see another document by the time your EAD expires to complete Section 3 of the Form I-9. You may choose to show either a valid List A or List C document, such as an unrestricted Social Security card. You can choose to show a new EAD but you don't have to.

If you showed an unrestricted Social Security card for Section 2 as proof of your permission to work and entered "N/A" for the expiration date space next to "alien authorized to work" in Section 1, your employer does not need to see your documents again. Employers that ask for documents based on your asylee or refugee status or based on your national origin when not required may violate the law. You can get more information on this part of the law by contacting IER and at 8 U.S.C. § 1324b(a)(1) or (a)(6).

**You do not need your Social Security number to start working.**

If you get a job but do not have your Social Security number (SSN) yet, the [Social Security Administration](#) instructs employers that employees are allowed to work while waiting for the SSN.

Your employer must pay you for your work even if you are still waiting for your SSN. The Fair Labor Standards Act, found at 29 U.S.C. § 201, gives you the right to be paid for all work that you do.

If you don't have your SSN by the time you start your job, leave the SSN box in Section 1 blank. This is true even if your employer uses E-Verify.

**Immigrant and Employee Rights Section (IER)**

**1-800-255-7688**

[www.justice.gov/ier](http://www.justice.gov/ier)

Calls can be anonymous and language services are available.

TTY 1-800-237-2515

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