

Immigration Alert: USCIS Releases Revised Form I-9

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On March 8, 2013, the U.S. Citizenship and Immigration Services (USCIS) published a revised Employment Eligibility Verification Form I-9 for use by employers. The newly revised Form I-9 is available online here. The Handbook for Employers (M-274) has also been updated to reflect the new form. All employers are required to complete a Form I-9 for each employee hired in the United States.

Employers should begin using the newly revised Form I-9 for all new hires and for reverifications where the use of a new form is required. Although USCIS strongly encourages employers to begin using the new form immediately, employers may continue to use previously accepted versions (Rev. 02/02/09 and Rev. 08/07/09) until May 7, 2013. *After May 7, 2013, employers must only use the new Form I-9 (Rev. 03/08/13). In addition, USCIS is now requiring employers to make the instructions available to the employee at the time they complete Form I-9.*

The newly revised Form I-9 includes more detailed instructions and is two pages long. Because the new form is two pages, USCIS recommends that the form be printed on a single, double-sided form to ensure the pages are kept together.

Section 1 of the new Form I-9 has been revised to include spaces for the employee's e-mail address and telephone number. However, completion of this information is optional. In addition, the employee's attestation has been expanded so it is easier to understand and complete by the employee. A 3-D Barcode space has been created to the right of the form, which currently serves as a place holder, and will be used in the future to generate a barcode containing the employee's information.

Section 2 has been revised to include a space at the top of the page where the employer must write in the employee's name. The purpose of this space is to ensure that the form is kept together with the first page. The space for List A documents has been expanded and, in the Certification section, the space to enter the employee's first day of employment has been moved so that it is easier for the employer to

understand and complete.

Finally, the Lists of Acceptable Documents has been revised in List C to clarify acceptable social security cards. The list now clarifies that a social security card is not valid if it contains one of the identified restrictions.

If you have any questions regarding how to properly complete the Form I-9 or regarding the use of the newly revised form, we encourage you to contact your Vorys attorney.