

# Client Alert

Business Information for  
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Shumaker, Loop & Kendrick, LLP

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## Revised Form I-9 is Now Available for Use

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Just as employers were becoming used to the new Form I-9 released in January of this year, U.S. Citizenship & Immigration Services (USCIS) released yet another updated version of the Form I-9 on July 17, 2017. While employers are encouraged to start using the new Form I-9, USCIS advised that employers would be permitted to continue using the Form I-9 with a revision date of 11/14/16 until September 17. As of September 18, 2017, however, employers are required to use the latest version of the Form I-9, dated 07/17/17 N.

By way of background, the Immigration Reform and Control Act of 1986, requires employers to complete a Form I-9 for each new employee hired. The purpose of the Form I-9 is to verify the identity of each new employee and ensure that the new employee is authorized to work in the United States. The Form I-9 contains a list of acceptable documents for establishing an employee's identity and authorization to work. Those documents include a U.S. Passport, Permanent Resident Card, driver's license, social security card, and birth certificate, among others. Employers must physically examine each document--with the employee physically present--to determine if the document reasonably appears to be genuine and if it relates to the employee presenting it.

Fortunately, the current changes to the Form I-9 are minimal in nature and should not add to the considerable burden employers already bear. Below is a short summary of the revisions made by USCIS:

### Revisions to the Form I-9 instructions:

- USCIS revised the anti-discrimination and privacy act notices on the instructions to change the name of the Office of Special Counsel for Immigration-Related Unfair Employment Practices to its new name; Immigrant and Employee Rights Section.
- USCIS removed "the end of" from the phrase "the first day of employment."

### Revisions to the List of Acceptable Documents on Form I-9:

- The Consular Report of Birth Abroad (Form FS-240) has been added as an acceptable document under List C. Employers completing Form I-9 on a computer will be able to select Form FS-240 from the drop-down menus available in List C of Sections 2 and 3. E-Verify users will also be able to select Form FS-240 when creating a case for an employee who has presented this document for Form I-9.
- All the certifications of report of birth issued by the Department of State (Form FS-545, Form DS-1350, and Form FS-240) are now combined into selection C #2 in List C.
- All List C documents (except the Social Security card) were renumbered.

USCIS issued a press release advising employers that all the latest changes have been included in the revised *Handbook for Employers: Guidance for Complete Form I-9 (M-274)*.

While the updates to the Form I-9 were minimal in nature, employers should not be lulled into a false sense of security. The current administration has made enforcement of our immigration laws a top priority. With fines increased considerably last summer, employers would be wise to review their Form I-9 procedures and records to ensure compliance. Continue to check back with us for updates. Our firm is available to assist with your immigration needs. For more information, please contact Maria del Carmen Ramos at 813.227.2252 or [mramos@slk-law.com](mailto:mramos@slk-law.com).

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