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USCIS Revises The Employment Eligibility Verification Form I-9

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U.S. Citizenship and Immigration Services (USCIS) announced on November 7, 2007 that a revised Employment Eligibility Verification Form (I-9) is now available for use. All employers are required to complete a Form I-9 for each employee hired in the United States.

The revision seeks to achieve full compliance with the document reduction requirements of the *Illegal Immigration Reform and Immigrant Responsibility Act of 1996* (IIRIRA), which reduced the number of documents employers may accept from newly hired employees during the employment eligibility verification process. In 1997, the former Immigration and Naturalization Service (INS) published a rule in the *Federal Register* eliminating some of the documents IIRIRA slated for removal. However, Form I-9 was not updated to reflect the revised List of Acceptable Documents at that time. USCIS has revised Form I-9 to bring it into compliance with the 1997 regulation as a first step toward achieving the document reduction goals set out in IIRIRA and as a further step in its ongoing work toward reducing the number of documents used to confirm identity and work eligibility.

Key to the revision is the removal of five documents for proof of both identity and employment eligibility, which were removed because they lack sufficient features to help deter counterfeiting, tampering, and fraud. The five document removed from eligibility are the Certificate of U.S. Citizenship; the Certificate of Naturalization; the Alien Registration Receipt Card; the unexpired Reentry Permit; and the unexpired Refugee Travel Document.

The revised list now includes: a U.S. passport (unexpired or expired); a Permanent Resident (or green) Card; an unexpired foreign passport with a temporary lawful permanent resident status stamp; an unexpired Employment Authorization Document that contains a photograph; and an unexpired foreign passport with an unexpired I-94 for nonimmigrant aliens authorized to work for a specific employer.

As of November 2007, the new Form I-9 is the only version of the form that is valid for use. Employers will have a 30-day period to transition to the new Form I-9. However, employers only need to complete the new version of Form I-9 for new employees and they do not need to complete new forms for existing employees. However, employers must use the Form I-9 when their employees require re-verification.

This article was prepared by the Law Offices of Adrien Medvei, Attorney at Law for informational purposes only and therefore, it should not be considered legal advice. With your immigration questions or independent evaluation of your case, please contact the Law Offices of Adrien Medvei, 3055 Wilshire Blvd., Suite 900, Los Angeles, CA 90010. For Thai language customer service please call (213) 984-4013, or (818) 495-4102 extension 102. You can also reach us toll free at (866)731-1067 or via our web site at www.medvei-immigration.com.