



U.S. CITIZENSHIP AND IMMIGRATION SERVICES ANNOUNCES UPDATED FORM I-9

On November 7, 2007, U.S. Citizenship and Immigration Services (USCIS) announced the release of an updated Employment Eligibility Verification Form I-9. All U.S. employers are responsible for completion and retention of Form I-9 for each individual they hire for employment in the United States. The employer must verify the employment eligibility and identity documents presented by the employee and record the document information on the Form I-9.

Although it was just released on November 7, 2007, the new form is identified by its revision date of June 5, 2007. The major difference from the previous form is in the list of documents that are considered acceptable when completing Section 2 of the form. Employers are encouraged to begin use of the new form immediately for new employees and for any required reverification of existing employees, but use will not be mandatory until appropriate notice is published in the Federal Register. Employers are not required to complete updated I-9s for existing employees who are not subject to reverification. The following is a summary of the primary changes to the Form I-9 process:

1. Five documents have been removed from List A of the List of Acceptable Documents, either because the document is obsolete, or because it lacks features to deter counterfeiting and fraud:
 - Certificate of U.S. Citizenship (Form N-560 or N-561)
 - Certificate of Naturalization (Form N-550 or N-570)
 - Alien Registration Receipt Card (I-151)
 - Unexpired Reentry Permit (Form I-327)
 - Unexpired Refugee Travel Document (Form I-571)



Jaeckle Fleischmann & Mugel, LLP

BUFFALO

12 Fountain Plaza
Buffalo, New York 14202-2292
Phone: 716.856.0600
Fax: 716.856.0432

AMHERST

400 Essjay Road, Suite 320
Amherst, New York 14221-8228
Phone: 716.250.1800
Fax: 716.250.1806

ROCHESTER

190 Linden Oaks
Rochester, New York 14625-2812
Phone: 585.899.2930
Fax: 585.899.2931

PHOENIX

7047 East Greenway Parkway, Suite 250
Scottsdale, Arizona 85254-8113
Phone: 480.659.2213
Fax: 480.659.3419

IMMIGRATION ATTORNEYS

Thomas E. Brydges (NY)
tbrydges@jaeckle.com; 716.843.3812

Daniel P. Joyce (NY)
djoyce@jaeckle.com; 716.843.3945

Tehsheng (Abby) Ma (NY)
ama@jaeckle.com; 716.843.3905

ADMISSIONS INFORMATION

by state, follows respective attorney name

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2. One document was added to List A of the List of Acceptable Documents:

- Unexpired Employment Authorization Document (I-766)

3. In accordance with Privacy Act concerns, the employee is no longer required to provide a Social Security number in Section 1 of Form I-9, unless the employer participates in the E-Verify program.

4. Employers may now sign and retain Forms I-9 electronically.

5. A Spanish version of the form is available as a translation guide, but only employers in Puerto Rico can complete and retain the Spanish version.

6. For additional information on the updated Form and the Employer Handbook, go to:

- USCIS Press Release of Nov. 7, 2007
<http://www.uscis.gov/files/pressrelease/FormI9Update110707.pdf>
- USCIS Fact Sheet of Nov. 7, 2007
<http://www.uscis.gov/files/pressrelease/FormI9FS110707.pdf>
- New Form I-9
<http://www.uscis.gov/files/form/I-9.pdf>
- New Handbook for Employers
<http://www.uscis.gov/files/nativedocuments/m-274.pdf>

If you have any questions regarding the recently updated Form I-9 or questions regarding immigration law, contact Daniel P. Joyce by email djoyce@jaeckle.com or 716.843.3945 or Tehsheng (Abby) Ma by email ama@jaeckle.com or 716.843.3905.