



## **USCIS RELEASES NEW REVISIONS TO FORM I-9**

On July 17, 2017, the United States Citizenship and Immigration Services (“USCIS”) released new revisions to Form I-9 for employment eligibility and verification. The new form must be used beginning September 18, 2017. Employers should not wait to start using the new form, which can be downloaded from the USCIS website found at <https://www.uscis.gov/i-9>.

The changes to the form are nominal and are outlined below. Employers are still encouraged to use the computer fillable version of the I-9, which contains smart features such as “helper bubbles” that prompt and assist the completion of I-9 for both employers and employees. The current version of the I-9, while computer fillable, does not allow for digital signatures. Employers will still need to print off the I-9 and have the employee sign it on the first day of employment.

### **Revisions to I-9 Instructions**

USCIS has changed the language in the I-9 Instructions in one major way: in the description of the day on which the Form I-9 completion is required, they have removed the phrase “the end of” from the phrase “the first day of employment.” Also, USCIS changed the name of “Office of Special Counsel for Immigration-Related Unfair Employment Practices” to “Immigrant and Employee Rights Section.”

### **Revisions to List of Acceptable Documents**

The USCIS also made the following revisions to List C of the List of Acceptable Documents:

- The Consular Report of Birth Abroad (“CRBA”) (Form FS-240) was added.
- The certifications of report of birth issued by the Department of State (Form FS-545, Form DS-1350 and Form FW-240) were combined into List C number 2.
- All documents in List C were renumbered except for the Social Security Card.

The CRBA is evidence of United States citizenship, issued to a child born abroad to a U.S. citizen parent or parents who meet the requirements for transmitting citizenship under the Immigration and Nationality Act.

Remember that List C documents prove employment authorization and must be accompanied by a List B document proving identity. Like any of the documents used for the I-9, the CRBA must be the original and must be presented in the presence of the employer. The other requirement for any document submitted with the I-9 is that it be unexpired. The CRBA will be similar to a Birth Certificate and contain no expiration date.

Through September 17, 2017, employers may use the new form (rev. 07/17/17 N) or the prior form (rev. 11/14/16 N). Again, the new form must be used beginning on September 18.

Employers can always find the most up-to-date version of the I-9 as well as I-9 compliance resources at “I-9 Central” on the USCIS website: <https://www.uscis.gov/i-9-central>.

For additional information about the new Form I-9 or your obligations under the employment eligibility and verification laws, please contact [Daniel W. Oldenburg](#), who specializes in Employment Immigration Law, or any other member of Cline Williams’ Labor and Employment Section:

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