

Executive Summary

Revised Form I-9 Teleconference

March 11, 2013

Introduction

On Monday, March 11, 2013, the U.S. Citizenship and Immigration Services (USCIS) Customer Service and Public Engagement Directorate (CSPED) along with the Verification Division hosted a national engagement and provided updates and responded to questions on the revised Form I-9, Employment Eligibility Verification.

Background

In 1986, in an effort to control illegal immigration, Congress passed the Immigration Reform and Control Act (IRCA). The IRCA prohibits employers from knowingly hiring unauthorized aliens and requires employers to complete the employment eligibility verification process for all newly hired employees. The requirements of IRCA led to the creation of the Employment Eligibility Verification form (Form I-9).

All employers (and certain agricultural recruiters and referrers for a fee) must use Form I-9 for all employees hired after November 6, 1986, who are working in the United States. IRCA also established prohibitions against national origin, citizenship or immigration status discrimination with respect to hiring, firing and recruitment or referral for a fee, and against unfair documentary practices during the Form I-9 process. Employers must complete Form I-9 for every employee hired after November 6, 1986, even if the employee is a U.S. citizen.

Updates

The newly revised Form I-9 is available online at www.uscis.gov or www.uscis.gov/I-9Central.

Effective immediately, employers should begin using the newly revised Form I-9 (Rev. 03/08/13) for all new hires. Employers do not need to complete a new Form I-9 for current employees who previously completed the Form I-9.

USCIS realized that some employers may need extra time to revise business processes in order to implement the new form. Therefore, USCIS allowed employers to continue using the previous version of the Form I-9 until May 7, 2013. Beginning May 7, 2013 all prior versions of Form I-9 can no longer be used by the public. Effective May 7, 2013 employers who fail to use Form I-9 (Rev 03/08/13) may be subject to [penalties](#) enforced by United States Immigration and Customs Enforcement (ICE).

Revisions & Updates:

Revisions and updates were made to the instructions, all three sections of the actual form, and the list of acceptable documents.

Instruction Changes

The first noticeable change to the Form I-9 is that the instructions have increased to six pages.

Section 1 instructions have been expanded to include detailed guidance on the following subjects:

- When to complete Section 1.
- How to enter hyphenated names or what to do if you have multiple first or last names.
- Completing the “other names used” section.
- What to enter in the addresses field. P.O. Boxes are not allowed.
- The correct formatting for date of birth.
- How to complete new information requested such as, email addresses and telephone numbers. This section also includes social security numbers.
- The four attestation boxes on the form related to immigration status.
- The new data fields requiring, under certain circumstances, foreign passport number and country of issuance information.
- The consequences of false statements or use of fraudulent documents in completion of Section 1.
- Directions for preparers/translators.
- Directions for minors and special placement employees.

Section 2 instructions have been expanded and now include detailed information on the following subjects:

- When to complete section 2.
- Recording information from a foreign student’s Form I-20 (Certificate of Eligibility for Nonimmigrant (F-1) Student Status-For Academic and Language Students) or an exchange visitor’s DS-2019 (Certificate of Eligibility for Exchange Visitor (J-1) Status).
- Completing the certification of the “employee’s first day of employment”.
- Receipts, retaining Form I-9, and photocopying of documents.

Section 3 instructions have been expanded to include additional detailed information on the following subjects:

- When to complete section 3.
- Completing blocks A, B, and/or C in Section 3.

Section 1 (Employee Information and Attestation) Changes

- E-mail address and telephone number fields were added. These fields were included to assist the government in contacting the employee regarding verification of their employment status. It is important to note providing information in these fields is voluntary; employees may enter “N/A” in these fields if they do not wish to provide this information.
- Passport and country of issuance fields were added. These new fields were included to accommodate the anticipated new Form I-94 automated environment. Foreign passport information will be necessary to provide a reliable link to the immigration status information of arriving aliens maintained by DHS. Moreover, the foreign passport information will enable DHS to more efficiently confirm the veracity of the individual’s attestation in Section 1 during the course of a Form I-9 inspection and confirm the individual’s employment eligibility where E-Verify is being used.
- Individuals who check “Alien authorized to work” in Section 1 (4th attestation box) will record either their Alien Registration Number or Form I-94 Admission Number. Employees who enter their Form I-94 Admission Number should complete the new foreign passport and country of issuance fields if they obtained their Form I-94 Admission Number from Customs and Border Protection (CBP) when traveling to the United States. Those employees who have obtained a Form I-94 Admission Number from USCIS within the United States, or entered the United States without a passport, may write “N/A” in the foreign passport and country of issuance fields.
- A 3-D barcode space was added. This is a placeholder for future technology. This placeholder is located to the right of the new fields.

Section 2 (Employer or Authorized Representative Review and Verification) Changes

- Expanded Document Entry field.
- Additional 3-D barcode placeholder is now included. The placeholder is located in the space below List C.

- A space at the top of Section 2 was added for employers to enter the name of the employee as it appears in Section 1. This will help keep both pages of the actual form together.
- Additional document entry fields were added in response to customer comments expressing the need for more space to write document information in List A to accommodate situations where employees present a combination of documents. For example, these additional spaces can be used by employers to record additional document information submitted by foreign students or exchange visitors.
- The Certification was redesigned so that it is clearer to employers what attestations are being made.

Section 3 (Reverification and Rehires)

- Section 3 of Form I-9 has been renamed to better explain when Section 3 should be completed.
- An additional field has been added to record the printed name of the employer or authorized representative who signs this section.

Lists of Acceptable Documents Changes

- There have been no changes to the Lists of Acceptable Documents, as far as adding or removing documents. However, the description for List C #1 was revised to make it easier for employees and employers to know what is acceptable and unacceptable regarding Social Security Cards for employment authorization purposes

Tips & Tools

1. Employers should begin using the new form for new hires and reverifications immediately. However, USCIS realizes that some employers may need extra time to revise business processes and will allow employers to continue using the previous version of Form I-9 (Rev. 2/2/09) N or (Rev. 8/7/09 Y) until May 7, 2013. Beginning May 7, 2013, only the new Form I-9 with revision date March 8, 2013 may be used.
2. Employers must provide the instructions and list of acceptable documents to their new hires.
3. The Spanish version of Form I-9, [Formulario I-9](#), is on the USCIS website and can be filled-in by employers and employees in Puerto Rico ONLY. Spanish-speakers in the 50 states and other U.S. territories may use the Spanish version for reference, but must complete the English version of the form only.

4. To speak to a customer service representative directly concerning the revised Form I-9, you can contact Form I-9 Customer Support at (888)-464-4218. A customer support representative is available Monday through Friday, from 8 a.m. to 5 p.m.
5. To request a customized webinar for your office or community on the revised Form I-9 email E-Verify at E-Verify@dhs.gov.
6. On [I-9 Central](#), you can learn all about the latest Form I-9 enhancements. [The Handbook for Employers, Guidance for Completing Form I-9](#), has been updated with information about the new form. To stay up-to-date on I-9 news, subscribe [here](#).

Additional Helpful Links

www.dhs.gov/E-Verify

[Click here](#) to subscribe to E-Verify Connection

Friend us on www.Facebook.com/USCIS

Follow us on www.Twitter.com/USCIS

Employee Hotline: 1-888-897-7781

Employer Queries: 1-888-464-4218