



USCIS Update

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USCIS REVISES EMPLOYMENT ELIGIBILITY VERIFICATION FORM

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) announced today that it has submitted to the *Federal Register* an interim final rule that will streamline the Employment Eligibility Verification (Form I-9) process.

The interim final rule narrows the list of acceptable identity documents and further specifies that expired documents are not considered acceptable forms of identification. An expansive document list makes it more difficult for employers to verify valid and acceptable forms and single out false documents compromising the effectiveness and security of the Form I-9 process. The changes included in the interim final rule will significantly improve the security of the employment eligibility verification process.

Employers must complete a Form I-9 for all newly hired employees to verify their identity and authorization to work in the United States. The list of approved documents that employees can present to verify their identity and employment authorization is divided into three sections: List A documents verify identity and employment authorization, List B documents verify identity only, and List C documents verify employment authorization only.

The rule eliminates Forms I-688, I-688A, and I-688B (Temporary Resident Card and older versions of the Employment Authorization Card/Document) from List A. USCIS no longer issues these cards, and all that were in circulation have expired. The rule also adds to List A of the Form I-9 foreign passports containing specially-marked machine-readable visas and documentation for certain citizens of the Federated States of Micronesia (FSM) and the Republic of the Marshall Islands (RMI). The rule makes other, technical changes to update the list of acceptable documents. The revised Form I-9 includes additional changes, such as revisions to the employee attestation section, and the addition of the new U.S. Passport Card to List A.

Employers must use the revised Form I-9 for all new hires and to reverify any employee with expiring employment authorization beginning 45 days after publication in the *Federal Register*. The interim final rule is available at www.uscis.gov and was submitted to the *Federal Register* on Dec. 11, 2008. The [Handbook for Employers, Instructions for Completing the Form I-9 \(M-274\)](#) will be updated to reflect these changes and will be available on the USCIS website in the near future. The current version of the Form I-9 (dated 06/05/2007) will no longer be valid as of 45 days after publication in the *Federal Register*.

The interim final rule and an informational copy of the revised Form I-9 will be available for public comment at www.regulations.gov for 45 days after publication in the *Federal Register*.