

## New I-9 Form Takes Effect on April 3, 2009

### April 1, 2009

Beginning on April 3, 2009, employers must use the new Form I-9 Employer Eligibility Verification when verifying and reverifying the employment eligibility of their workers. The current version of Form I-9 may be used through April 2, 2009, but it will no longer be valid for use on or after April 3, 2009.

In our [January 15, 2009 Alert](#), we reported that employers would be required to complete a new, revised Form I-9 for all newly hired workers, and for reverification of certain existing workers, beginning February 2, 2009. In our [February 3, 2009 Alert](#), we reported that implementation of the rule had been delayed for a further 60 days to afford time for "notice and comment" and additional U.S. Department of Homeland Security review. That 60-day period has not been extended; thus, the new Form I-9 will go into effect on April 3, 2009.

According to U.S. Citizenship and Immigration Services (USCIS), the new Form I-9 will be available on the website "in the near future." USCIS has posted a "[Questions and Answers](#)" section about the new Form I-9. The most significant changes to the form include a reduced list of acceptable documents, a revised instructions sheet and a new Form M-274 Handbook for Employers. Additionally, unlike the previous version, the new Form I-9 requires that all documents presented during the verification or reverification process be unexpired.

We will continue to follow developments in this area closely—including any potential last-minute delays in implementation of the new form—and will issue updated Alerts as events warrant.

### For Further Information

If you have any questions regarding the completion and recordkeeping of Form I-9 for your employees or would like more information, please contact any of the [attorneys](#) in our [Employment & Immigration Practice Group](#) or the attorney in the firm with whom you are regularly in contact.