

# PUBLICATION

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## New I-9 Form Required as of September 18

July 18, 2017

**USCIS released a revised version of Form I-9, Employment Eligibility Verification, on July 17. The form will become mandatory beginning on September 18. Baker Donelson encourages employers to take note of the change and ensure that their human resource personnel, who are responsible for checking employment eligibility of newly hired employees, switch to the new form prior to September 18.**

Key changes to the Form I-9 include:

- Revisions to the Form I-9 instructions, which include changing the name of the Office of Special Counsel for Immigration-Related Unfair Employment Practices to its new name, Immigrant and Employee Rights Section.
- The Consular Report of Birth Abroad (Form FS-240) will be added to List C as an acceptable document for Form I-9 verification. Employers completing the Form I-9 on a computer will be able to select Form FS-240 from the drop-down menus available in List C of Sections 2 and 3. E-Verify users will also be able to select Form FS-240 when creating a case for an employee who has presented this document for Form I-9.
- Employers should also keep in mind that all List C documents are now renumbered, except for the social security card.

All changes to the Form I-9 will be noted in the revised Handbook for Employers: Guidance for Completing Form I-9 (M-274). Cosmetic changes have also been made to the handbook, which makes navigation easier for employers. Retention and storage procedures remain unchanged for employers.

In recent years, both penalties and Form I-9 audit rates by Immigration and Customs Enforcement have increased, making it more imperative than ever that employers ensure hiring processes are compliant. Baker Donelson encourages employers to routinely review their Form I-9 procedures to ensure they are compliant with all employment verification requirements and that all new hires are eligible to work in the U.S.