



UPDATE Immigration

APRIL 2011

New Rule Updates Employment Eligibility Verification Process (I-9)

On April 14, 2011, the U.S. Citizenship and Immigration Services (USCIS) announced the implementation of a new rule aimed to improve the integrity of the Employment Eligibility Verification (Form I-9) process.

Under provision 274A(a)(1)(B) of the Immigration and Nationality Act, all employers must verify the identity and employment authorization of each person they hire for employment in the United States.

The new rule changes the I-9 verification process by prohibiting the acceptance of expired documents for completion of Form I-9 and by adding and modifying several documents on the Lists of Acceptable Documents. Specifically, List A identity and employment authorization documentation Forms I-688, I-688A, and I-688B (Temporary Resident Card and outdated Employment Authorization Cards) are eliminated. Additional documents are added to List A, including foreign passports containing temporary I-551 printed notations on certain machine-readable immigrant visas and valid passports for citizens of the Federated States of Micronesia (FSM) and the Republic of the Marshall Islands (RMI), along with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI.

The final rule will be effective on May 16, 2011. Employers may continue to use the current version of the Form I-9 (Rev. 08/07/2009) or the previous version (Rev. 02/02/2009).

The USCIS has issued some [FAQs concerning the new rule](#).

CONTACT US

If you have any questions about the new rule, contact one of the members of our Immigration Practice Group below. [Robinson & Cole's Immigration Practice Group](#) has experienced attorneys who have assisted clients with a wide range of immigration issues.

Megan R. Naughton
(860) 275-8263
mnaughton@rc.com

Joshua S. Mirer
(860) 275-8344
jmirer@rc.com

Natalia Sharubina
(860) 275-8396
nsharubina@rc.com

© 2011 Robinson & Cole LLP. All rights reserved. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without prior written permission. This document should not be considered legal advice and does not create an attorney-client relationship between Robinson & Cole and you. Consult your attorney before acting on anything contained herein. The views expressed herein are those of the authors and not necessarily those of Robinson & Cole or any other individual attorney of Robinson & Cole. The contents of this communication may contain attorney advertising under the laws of various states. Prior results do not guarantee a similar outcome.

