

USCIS Releases a New Form I-9

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On Jan. 31, 2020, U.S. Citizenship & Immigration Services (USCIS) published in the Federal Register a [notice](#) announcing a new version of the [Form I-9, Employment Eligibility Verification \(I-9 Form\)](#).

The I-9 Form is required to be used by certain employers to verify each individual they hire for employment in the United States is legally authorized to work in the U.S. An I-9 Form for each employee must be maintained for as long as the individual is employed by the employer and for the legally required period after separation of the employee from the employer. It is important to properly complete and maintain I-9 Forms, as failure to do so may result in civil monetary or criminal penalties.

USCIS publishes a paper I-9 Form and a fillable I-9 Form. The new version of the fillable I-9 Form has been updated to reflect new countries of issuance. Additionally, USCIS has updated the [I-9 Form instructions](#) to provide clarity regarding who can act as an authorized representative and provide additional information on acceptable documents, among other non-material updates. The new version of the paper I-9 Form has no changes from the prior version.

As a reminder, an employer may designate anyone to be an authorized representative to act on their behalf to complete Section 2 of the I-9 Form. However, the employer will be liable for any violations, which may result in civil monetary or criminal penalties, for actions taken by an authorized representative.

The new I-9 Form must be used by all applicable employers on or after April 30, 2020. Any employer who uses the prior version after April 30, 2020, will be subject to applicable penalties.

Employers do not need to reverify current employees solely on the basis of the new Form I-9 for whom the employer already has a properly completed I-9 Form. Unnecessary reverification likely violates various anti-discrimination laws and would expose the employer to civil monetary or criminal penalties.

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