

USCIS Releases Update Of Form I-9: What Employers Need To Know

Article By:

Gregory A. Wald

On July 17, 2017, the U.S. Citizenship and Immigration Services (“USCIS”) announced the release of a revised version of [Form I-9, Employment Eligibility Verification](#). This is the second version of the “smart” I-9 initially released in November 2016. (For details regarding the “smart” functions please see our previous [blog post](#)). Employers can use the revised version or continue using Form I-9 with a revision date of 11/14/16 through September 17, 2017. On Sept 18, 2017, employers must use the revised form with a revision date of 07/17/17 N.

USCIS originally planned to release this new version to address regulatory changes that would have been implemented per the so-called “International Entrepreneur Rule,” previous administration regulation designed to enable qualified startup founders to temporarily stay in the US through a discretionary immigration benefit known as “parole.” However, earlier this month, the Trump administration issued a [rule](#) delaying implementation of the International Entrepreneur Rule. Nevertheless, the Form I-9 update went forward and we summarize the significant changes below.

Revisions to the Form I-9 instructions:

- The name of the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) has been changed to “Immigrant and Employee Rights Section”, (IER). This [agency](#), a unit of the Civil Rights Division of the US Department of Justice, is charged with enforcing laws preventing discrimination during the hiring process based on the employee’s citizenship, national origin, or immigration status.
- “the end of” has been removed from the phrase, “the first day of employment”. This change serves as a reminder that Section 1 (the employee’s portion) MUST be completed no later than day 1 of employment.

Revisions related to the List of Acceptable Documents on Form I-9:

- The Consular Report of Birth Abroad (Form FS-240) was added to [List C](#). Employers completing Form I-9 on a computer will be able to select Form FS-240 from the drop down

menus. 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.

- The List C documents has been reduced from 8 to 7 and renumbered except the Social Security card.

USCIS incorporates the above changes above into its newly revised [Handbook for Employers: Guidance for Completing Form I-9](#) (M-274). Moving away from the traditional print format, this new handbook includes an interactive Table of Contents as well as a [Table of Changes](#) outlining significant changes made to the M-274 since the last publication.

© Copyright 2025 Squire Patton Boggs (US) LLP

National Law Review, Volume VII, Number 200

Source URL: <https://natlawreview.com/article/uscis-releases-update-form-i-9-what-employers-need-to-know>