



# LEGAL ALERT

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November 2007

## SNELL & WILMER

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## USCIS ANNOUNCES NEW FORM I-9

On November 7, 2007, the United States Citizenship and Immigration Services, (USCIS) introduced the newly revised Employment Eligibility Verification Form I-9 (I-9). Since the Immigration Reform and Control Act took effect in 1986, employers have been required to complete an I-9 for all newly hired employees to verify employment eligibility status. Failure to do so could result in civil and/or criminal penalties. Employers should be aware that while the verification procedure has not changed, the number of documents an employer can accept from newly hired employees for purposes of completing the employment verification process has decreased.

Below is a summary of USCIS's changes to the I-9:

### Section 1

The former instructions required the employee to fully complete Section 1 of the I-9. Now, providing the Social Security number is voluntary, except for employees hired by employers participating in the USCIS Electronic Employment Eligibility Verification Program (E-Verify).

### Section 2

USCIS made changes to the documents an employer may accept during the employment verification process. Notably, the following five documents have been removed from List A of the List of Acceptable Documents:

- Certificate of U.S. Citizenship (Form N-560 or N-561)
- Certificate of Naturalization (Form N-550 or N-570)
- Alien Registration Receipt Card (I-151)
- Unexpired Reentry Permit (Form I-327)
- Unexpired Refugee Travel Document (Form I-571)



The following document was added to List A of the List of Acceptable Documents:

- Unexpired Employment Authorization Document (I-766)

**Section 3**

USCIS made no changes to Section 3.

**Instructions:**

USCIS made additional changes to the I-9 instructions. The section on Photocopying and Retaining I-9s now includes information about electronically signing and retaining the I-9. Other minor, non-substantive changes were made to the

instructions, and the I-9 itself, to make it more user-friendly.

USCIS encourages employers to begin using the new I-9 as soon as possible. Employers may obtain the I-9 and the Employer Handbook (M-274) as a downloadable PDF at [www.uscis.gov](http://www.uscis.gov) or the employer can order them through USCIS by calling 1-800-870-3676. The new I-9 will become effective (and therefore mandatory) once USCIS's notice is published in the Federal Register.

**For more information please contact Becky Winterscheidt at 602.382.6343 | [bwinterscheidt@swlaw.com](mailto:bwinterscheidt@swlaw.com) or Manny Cairo at 602.382.6534 | [mcairo@swlaw.com](mailto:mcairo@swlaw.com)**



Are you trained on the correct procedures for completing I-9 forms? Can you spot fraudulent immigration documentation? Given the increased enforcement of our immigration laws, severe penalties can be imposed for hiring undocumented workers. Take advantage of a free training seminar on this increasingly urgent topic!

Join ICE Senior Special Agent, Todd Johnson, and Snell & Wilmer, who will train attendees on how to properly complete Form I-9, spot inconsistent information and detect fraudulent documents.

Date: November 29, 2007

Time: 7:30 am - 8:00 am Registration and Breakfast  
8:00 am -10:00 am Program

Location: 19th Floor, One Arizona Center, Phoenix, AZ 85004

RSVP: 602.382.6599 or [RSVP@swlaw.com](mailto:RSVP@swlaw.com) by November 22, 2007. Space is limited. Parking validated at the parking garage at 5th Street and Fillmore.



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