

# Immigration Advisory

From the Buchanan Ingersoll & Rooney Immigration Group

**Buchanan Ingersoll & Rooney PC**  
Attorneys & Government Relations Professionals

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## USCIS Issues a Newly Dated I-9 Form

On June 16, 2008, USCIS released a new I-9 Employment Eligibility and Verification Form, with an expiration date of June 30, 2009. All U.S. employers are responsible for completion and retention of I-9 forms for each individual hired for employment in the U.S., including both citizens and non-citizens. On the I-9 form, the employer must verify the employment eligibility and identity documents presented by the employee and record the document information on the Form I-9.

Employers should begin using the new form immediately. The content of the form is the same. The new form was released in accordance with the Paperwork Reduction Act, which requires that all forms have current expiration dates.

The Department of Homeland Security (DHS) recently announced that higher civil fines will be imposed against employers that violate the immigration laws, including the I-9 requirement. The civil fines can be costly, as USCIS can impose multiple fines on one I-9 form. If an employer knowingly employs or continues to employ unauthorized aliens, the penalties are on a per-alien basis. For example, if an employer knowingly employs or continues to employ two unauthorized aliens, two separate fines may be charged. First offenses will be penalized from \$375 to \$3,200, and after three offenses, the penalties will range from \$11,000 to \$16,000 for each unauthorized employee.

Finally, U.S. Immigration and Customs Enforcement (ICE) has increased its I-9 inspections at employer worksites across the country. Many of these inspections result from a subpoena requiring production of all Forms I-9 for current employees and those employees terminated over the last year.

Please do not hesitate to contact us if you have questions about the new Form I-9 or about general Form I-9 compliance.

For more information, email the author(s) at [immigration@bipc.com](mailto:immigration@bipc.com).

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