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Immigration Update: Federal Forms Update

By Nancy-Jo Merritt and Matthew J. Martinez

The USCIS Form I-9 Is Not Expiring, Yet

U.S. Citizenship and Immigration Services (USCIS) announced today that the current Employment Eligibility Verification Form I-9 (Rev. 02/02/09) will continue to be valid for use beyond its expiration date of June 30, 2009.

USCIS has asked the Office of Management and Budget (OMB) to approve the continued use of the current version of Form I-9. While this request is pending [and dare we wonder why the request wasn't made sooner?], the current Form I-9 (Rev. 02/02/09) will not expire. USCIS will update Form I-9 when the extension is approved. Employers will then be able to use either the Form I-9 with the new revision date or the Form I-9 with the 02/02/09 revision date at the bottom of the form.

A Little Reminder About The AR-11

The AR-11 is the form used by non-citizens to report, within 10 days, any change of address in the United States. The current version of the form is dated 10/6/08, but the previous edition is still accepted. The form is available on-line at <http://www.uscis.gov/ar-11> or may be mailed to:

U.S Department of Homeland Security
U.S. Citizenship and Immigration Services
Change of Address
PO Box 7134
London, KY 40742-7134

Non-citizens over the age of 14 who fail to report a change of address are subject to deportation, so the timely change of address is not only important for the receipt of notices and documents from USCIS, but to preserve status.

Nancy-Jo Merritt focuses her practice in immigration law and has nearly three decades of experience representing domestic and international companies with issues concerning foreign national employees and business immigration matters. She provides strategic counseling to clients and assists employers in developing compliance programs. She earned her B.A. (1964) M.A. (1974) J.D. (1978) from Arizona State University.

Matthew J. Martinez focuses his practice in in the area of immigration and nationality law. Mr. Martinez works with companies to conduct internal I-9 audits in an effort to assess compliance with immigration, employment and discrimination laws, and works with clients to develop hiring policies and procedures. He also assists employers in responding to agency-initiated workplace investigations and in defending against immigration-related discrimination complaints. He earned his B.S. (1995) and his J.D. (1999) from Brigham Young University.

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