

THE DEPARTMENT OF HOMELAND SECURITY (DHS) DELAYS EFFECTIVE DATE OF THE NEW FORM I-9 EMPLOYMENT ELIGIBILITY VERIFICATION FORM UNTIL APRIL 3, 2009

On January 30, 2009, the Department of Homeland Security (DHS), Citizenship & Immigration Services (CIS) filed for publication in the Federal Register an Interim Rule delaying the effective date of [the new Form I-9](#) Employment Eligibility Verification form. The new Form I-9, previously implemented by regulation with an effective date of February 2, 2009, will now go into effect April 3, 2009. Employers should **not** use the New Form I-9 until April 3, 2009.

In the event that the new Form I-9 was inadvertently used prior to receipt of news regarding the DHS delay in the form's effective date, please contact your Foster Quan immigration attorney for additional information on how to remedy the discrepancy.

This delay in the effective date of the new Form I-9 will afford DHS additional time to consider the new rule, and to accept additional comments on the rule and the new Form I-9. The deadline for additional comments on the rule and the New Form I-9 is March 4, 2009.

As always, Foster Quan will continue to monitor legal developments which may impact on an employer's Form I-9 Employment Eligibility Verification obligations and will make new information available in future Immigration Updates[©] and on our firm's website at www.fosterquan.com.