

# Stay Current.

October 22, 2004

## **Electronic Storage and Signature of Form I-9**

On October 19, 2004, Congress presented to the President legislation to permit the electronic storage and signature of the Form I-9, used to verify an employee's eligibility to work in the United States. Background on this bill, H.R. 4306, was provided in our October 11, 2004 Immigration Newsflash. The law will take effect when the Department of Homeland Security publishes implementing regulations or 180 days after enactment, whichever is earlier. This important new law is a positive step and will greatly benefit the many employers who are seeking to automate their document retention practices. Paul Hastings will continue to provide updates on this initiative as details of its implementation develop.

## **Travel Document Crisis Averted**

Unofficial sources within the Department of Homeland Security suggested last week that U.S. Citizenship and Immigration Services (USCIS) would discontinue its practice of issuing ADIT stamps (also known as I-551 stamps) as proof of lawful permanent resident status. Additional rumors suggested that U.S. Customs and Border Protection officials would no longer honor ADIT stamps for reentry purposes. The Global Personnel Alliance (GPA) and the American Immigration Lawyers Association (AILA) have confirmed that there will not be a change in policy involving the issuance and acceptance of ADIT stamps.

This change in policy, if implemented, would have resulted in significant travel issues for those permanent residents waiting to receive green cards. Because it often takes several months or more for a green card to be manufactured following approval of permanent resident status, the ADIT stamp serves as evidence of a new permanent resident's status, enabling uninterrupted travel and employment eligibility.

## **Reminder: Upcoming Dates of Interest**

October 26, 2004: Visa waiver travelers must present either machine-readable passports or valid U.S. visas to be admitted to the United States. Travelers with valid U.S. visas will not be required to have machine-readable passports. (See August 9, 2004 Immigration Newsflash.)

November 5, 2004: Registration for the 2006 Diversity Visa "Lottery" Program begins. (See October 1, 2004 Immigration Newsflash.)

December 31, 2004: Implementation of US-VISIT (United States Visitor and Immigrant Status Indicator Technology) program at the 50 busiest land ports. The program is already in effect at most airports.