



U.S. Citizenship  
and Immigration  
Services



# 2023 Revised Form I-9 Workshop for DirectEmployers Association

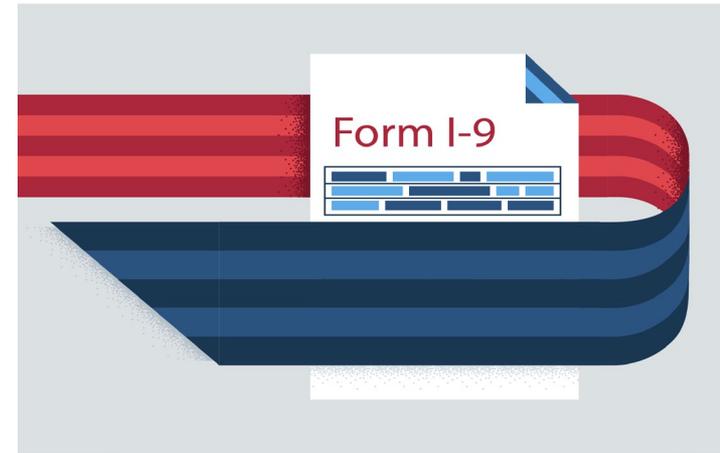
Presenter: Joel Grauer, E-Verify Engagement

[Joel.d.grauer@uscis.dhs.gov](mailto:Joel.d.grauer@uscis.dhs.gov)

August 23, 2023

# Agenda

- ✓ Form I-9 Overview
- ✓ End of COVID-19 Flexibilities
- ✓ Remote Document Examination
- ✓ Document Review
- ✓ I-9 Requirements
- ✓ E-Verify Overview
- ✓ User Roles
- ✓ Case Processing
- ✓ Compliance
- ✓ Additional Resources



# Working in the U.S.

In 1986, in an effort to control illegal immigration, Congress passed the **Immigration Reform and Control Act (IRCA)**.

Individuals who may legally work in the United States:

- ✔ Citizens of the United States
- ✔ Noncitizen Nationals of the United States
- ✔ Lawful Permanent Residents
- ✔ Noncitizen Authorized to Work



**IRCA** forbids employers from knowingly hiring individuals who do not have work authorization in the United States.



# Form I-9 Requirements

**All U.S. employers must properly complete Form I-9 for each individual they hire for employment in the United States.**

- ✔ Form I-9 is only completed after an offer of employment has been extended and accepted
- ✔ As of August 1, 2023, you may use [Form I-9, Employment Eligibility Verification](#), with the 8/1/2023 revision date for all new hires and reverifications.
  - You may continue to use the form with a revision date of 10/21/2019 until October 31, 2023.
- ✔ Provide new hires with the [Instructions for Form I-9](#) including the [Lists of Acceptable Documents](#)
- ✔ Form I-9 is available in English and Spanish
  - Only employers in Puerto Rico may use the [Spanish version](#) as their official Form I-9
  - Employees may use the Spanish version as a translation guide

# Changes to Form I-9

- ✓ Reduce length of Form I-9 and instructions
- ✓ Moved sections to standalone supplements
- ✓ Revised the Lists of Acceptable Documents
- ✓ Added checkbox to indicate remote examination
- ✓ Removed enhanced features to ensure easy download
- ✓ Removed use of 'alien authorized to work' in Section 1 and replaced it with 'noncitizen authorized to work'

**\*\* RELEVANT LINK \*\***

[Summary of Changes to Form and Instructions](#)

# Section 1: Employee Information and Attestation

**Section 1** is completed by the **EMPLOYEE**:

On or before their first day of work for pay

Biographical Information:

- Name
- Address
- Date of Birth

Optional Fields:

- Email Address
- Telephone Number

Social Security Number: Employees of E-Verify employers must provide their Social Security Number

**Section 1. Employee Information and Attestation:** Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.

Last Name (Family Name)		First Name (Given Name)		Middle Initial (if any)	Other Last Names Used (if any)		
Address (Street Number and Name)			Apt. Number (if any)	City or Town		State	ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number		Employee's Email Address			Employee's Telephone Number	

I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.

Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):

1. A citizen of the United States

2. A noncitizen national of the United States (See Instructions.)

3. A lawful permanent resident (Enter USCIS or A-Number.)

4. A noncitizen (other than Item Numbers 2. and 3. above) authorized to work until (exp. date, if any)

If you check Item Number 4., enter one of these:

USCIS A-Number	OR	Form I-94 Admission Number	OR	Foreign Passport Number and Country of Issuance
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Signature of Employee \_\_\_\_\_ Today's Date (mm/dd/yyyy) \_\_\_\_\_

If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the [Preparer and/or Translator Certification](#) on Page 3.

**\*\* RELEVANT LINK \*\***

[Employee Information Sheet](#)

# Section 1: Employee Information and Attestation Cont.

**Section 1** is completed by the **EMPLOYEE**:

Attestation:

- Citizen of the United States
- Noncitizen National
- Lawful Permanent Resident
- Noncitizen Authorized to Work

Signature and Date

Employee has three business days to present:

- 1 List A document
- OR
- 1 List B document **AND**
- 1 List C document

Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):		
<input type="checkbox"/>	1. A citizen of the United States	
<input type="checkbox"/>	2. A noncitizen national of the United States (See Instructions.)	
<input type="checkbox"/>	3. A lawful permanent resident (Enter USCIS or A-Number.)	
<input type="checkbox"/>	4. A noncitizen (other than Item Numbers 2. and 3. above) authorized to work until (exp. date, if any)	
If you check Item Number 4., enter one of these:		
USCIS A-Number	OR	Form I-94 Admission Number
	OR	Foreign Passport Number and Country of Issuance

<b>Section 1. Employee Information and Attestation:</b> Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.				
Last Name (Family Name)	First Name (Given Name)	Middle Initial (if any)	Other Last Names Used (if any)	
Address (Street Number and Name)		Apt. Number (if any)	City or Town	State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number	Employee's Email Address		Employee's Telephone Number
<b>I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.</b>		Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):		
		<input type="checkbox"/>	1. A citizen of the United States	
		<input type="checkbox"/>	2. A noncitizen national of the United States (See Instructions.)	
		<input type="checkbox"/>	3. A lawful permanent resident (Enter USCIS or A-Number.)	
		<input type="checkbox"/>	4. A noncitizen (other than Item Numbers 2. and 3. above) authorized to work until (exp. date, if any)	
		If you check Item Number 4., enter one of these:		
		USCIS A-Number	OR	Form I-94 Admission Number
			OR	Foreign Passport Number and Country of Issuance
Signature of Employee			Today's Date (mm/dd/yyyy)	
If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the <a href="#">Preparer and/or Translator Certification</a> on Page 3.				

# Section 2: Employer Review and Verification

**Section 2** is completed by the **EMPLOYER**:

- ✓ MUST be completed no later than **3 business days** after the employee's first day of work for pay
- ✓ Employer MUST examine original documents in the presence of employee
- ✓ Date fields
  - First date of employment
  - Today's Date
- ✓ Signature and Date

**Section 2. Employer Review and Verification:** Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box: see Instructions.

	List A	OR	List B	AND	List C
Document Title 1					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)	<b>Additional Information</b>				
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 3 (if any)	<input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.				
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.					First Day of Employment (mm/dd/yyyy):
Last Name, First Name and Title of Employer or Authorized Representative			Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)
Employer's Business or Organization Name			Employer's Business or Organization Address, City or Town, State, ZIP Code		



# Section 2: Employer Review and Verification Cont.

- ✔ **Document Title:** Enter the title of the document
- ✔ **Issuing Authority:** Enter the specific entity that issued the document
- ✔ **Document Number:** If applicable document number can contain numbers and/or letters
- ✔ **Expiration Date:** If applicable enter expiration date MM/DD/YYYY

**Section 2. Employer Review and Verification:** Employers or their authorized representative must complete and sign **Section 2** within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

	List A	OR	List B	AND	List C
Document Title 1					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)			Additional Information		
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 3 (if any)					

Document Title 1		<small>S to examine documents. ay of Employment /yyyy):</small> <small>Today's Date (mm/dd/yyyy)</small>
Issuing Authority		
Document Number (if any)		
Expiration Date (if any)		

# Examining Documents

Acceptable documents must be:

- ✓ Original (Photocopies are not permissible)\*
- ✓ Unexpired
- ✓ Reasonably appear **GENUINE**
- ✓ Relate to the individual presenting it

\* You may accept a certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States that bears an official seal.

**\*\* RELEVANT LINKS \*\***

[Examining Documents](#)  
[Acceptable Document Examples](#)

# Receipt Rule

You must accept a receipt indicating your employee has applied to replace any List A, B, or C document that was **lost, stolen** or **damaged**:

- ✓ The receipt must be issued by the originating agency
- ✓ Employee must present original replacement document or another acceptable document(s) within 90 days of the hire date
- ✓ Receipts are never acceptable if employment will last less than 3 business days
- ✓ E-Verify cases should be delayed until the replacement document is provided

**\*\* RELEVANT LINK \*\***

[Section 4.4 Acceptable Receipts](#)

# Photocopying Documents

- ✓ If you choose to make copies of an employee's documents, **you must do so for ALL employees**
  - Retain document copies with their Form I-9 or their personnel record
  - Be consistent and copy all documents employees provide
  - Do not destroy or dispose of copies of documents
- ✓ **E-Verify employers** must photocopy the following documents if voluntarily provided by the employee for Form I-9 Section 2:
  - U.S Passport or Passport Card
  - I-155 Lawful Permanent Resident Card
  - I-766 Employment Authorization Document

**\*\* RELEVANT LINK \*\***

[Section 10.2 Copies of Documents](#)

# Supplement A: Preparer/Translator

Supplement A, Preparer and/or Translator Certification for Section 1		USCIS Form I-9 Supplement A OMB No. 1615-0047 Expires 08/31/2026	
			
Department of Homeland Security U.S. Citizenship and Immigration Services			
Last Name (Family Name) from Section 1.		First Name (Given Name) from Section 1.	Middle Initial (if any) from Section 1.
<p>Instructions: This supplement must be completed by any preparer and/or translator who assists an employee in completing Section 1 of Form I-9. The preparer and/or translator must enter the employee's name in the spaces provided above. Each preparer or translator must complete, sign, and date a separate certification area. Employers must retain completed supplement sheets with the employee's completed Form I-9.</p> <p>I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.</p>			
Signature of Preparer or Translator		Date (mm/dd/yyyy)	
Last Name (Family Name)	First Name (Given Name)	Middle Initial (if any)	
Address (Street Number and Name)	City or Town	State	ZIP Code

- ✔ Preparer/Translator must complete Supplement A
- ✔ Preparer/Translator should enter their home address, not the company address.

# Supplement B: Reverification and Rehires

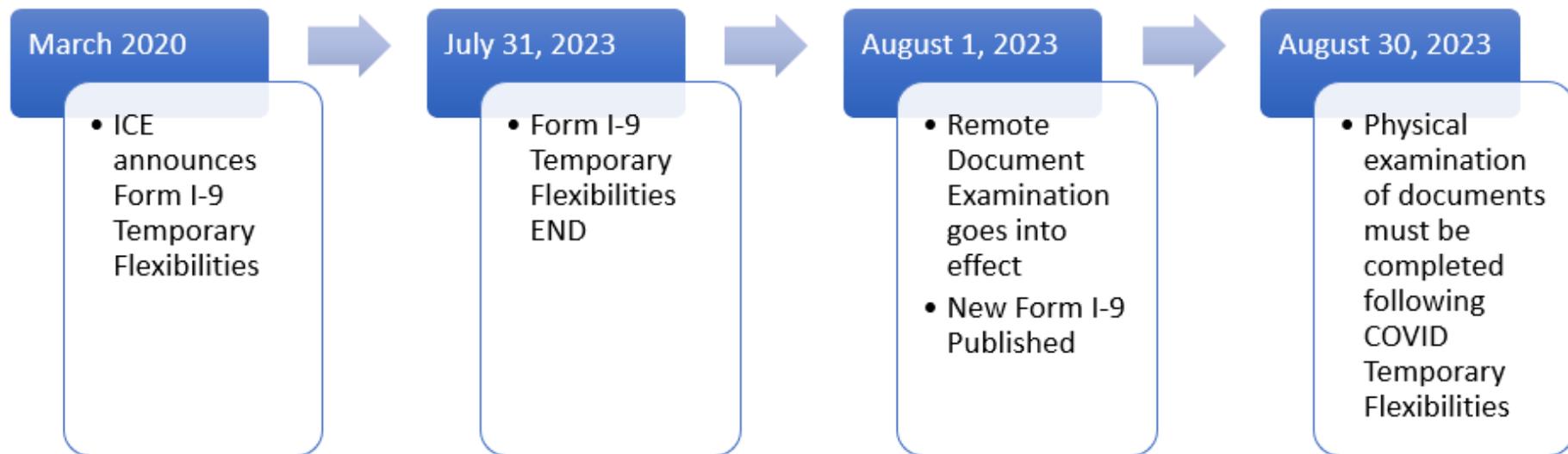
Supplement B, Reverification and Rehire (formerly Section 3)		USCIS Form I-9 Supplement B	
Department of Homeland Security U.S. Citizenship and Immigration Services		OMB No. 1615-0047 Expires 08/31/2026	
Last Name (Family Name) from Section 1.		First Name (Given Name) from Section 1.	
		Middle Initial (if any) from Section 1.	
Instructions: This supplement replaces Section 3 on the previous version of Form I-9. Only use this page if your employee requires reverification, is rehired within three years of the date the original Form I-9 was completed, or provides proof of a legal name change. Enter the employee's name in the fields above. Use a new section for each reverification or rehire. Review the Form I-9 instructions before completing this page. Keep this page as part of the employee's Form I-9 record. Additional guidance can be found in the <a href="#">Handbook for Employers: Guidance for Completing Form I-9 (M-274)</a>			
Date of Rehire (if applicable) Date (mm/dd/yyyy)	New Name (if applicable)		
	Last Name (Family Name)	First Name (Given Name)	Middle Initial
Reverification: If the employee requires reverification, your employee can choose to present any acceptable List A or List C documentation to show continued employment authorization. Enter the document information in the spaces below.			
Document Title	Document Number (if any)	Expiration Date (if any) (mm/dd/yyyy)	
I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented documentation, the documentation I examined appears to be genuine and to relate to the individual who presented it.			
Name of Employer or Authorized Representative	Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)	
Additional Information (Initial and date each notation.)			<input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.

- ✓ Employers **MUST** reverify an employee using Form I-9, Supplement B, if their temporary employment authorization status or temporary employment authorization document has expired
  - ✓ You **may** also complete Supplement B if you:
    - **Rehire** the employee within 3 years of the date you completed Form I-9\*
    - OR
    - Update the employee's **biographic information**
- \* Do not create a new E-Verify case for an existing employee you are reverifying

# Supplement B: Reverification and Rehires Cont.

<b>REVERIFY</b>	<ul style="list-style-type: none"><li>• An Employment Authorization Document (Form I-766)</li><li>• Form I-94 with temporary I-551 stamp</li><li>• Unexpired foreign passport with temporary I-551 stamp</li></ul>
<b>DO NOT REVERIFY</b>	<ul style="list-style-type: none"><li>• U.S. citizens and noncitizen nationals</li><li>• U.S. passports or passport cards</li><li>• Permanent Residents who present an unexpired Permanent Resident or Alien Registration Receipt card (Form I-551)</li><li>• <i>Expired</i> Permanent Resident Card presented with Form I-797</li><li>• List B documents</li></ul>

# End of COVID-19 Flexibilities for Form I-9



- ✓ E-Verify enrolled employers who completed remote examination of documents for Section 2 prior to August 1<sup>st</sup>, 2023, do not need to subsequently examine documents physically.
- ✓ Employers not enrolled in E-Verify (at the time of the remote examinations) who remotely examined documents during COVID flexibilities must now physically examine the documents or have someone at that remote location physically examine documents.

# End of COVID-19 Flexibilities for Form I-9 Physical Inspection

- ✔ In the presence of the employee, employers must physically inspect all documents previously inspected remotely by **August 30, 2023**
- ✔ Write “COVID-19 - Documents physically examined on MM/DD/YYYY” as well as the initials of the person who performed the physical inspection in the Section 2 Additional Information field
- ✔ May designate an authorized representative to complete physical document inspection

Section 2. Employer or Authorized Representative Review and Verification <small>(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the em's must physically examine one document from List A OR a combination of one document from List B and one document from Acceptable Documents.)</small>			
Employee Info from Section 1		Last Name (Family Name)	First Name (Given Name)
List A Identity and Employment Authorization		OR	List B Identity AND
Document Title		Document Title	Document
Issuing Authority		Issuing Authority	Issuing A
Document Number		Document Number	Document
Expiration Date (if any) (mm/dd/yyyy)		Expiration Date (if any) (mm/dd/yyyy)	Expirator
Document Title		<b>Additional Information</b> <i>Remote inspection completed 05/01/2021</i>  <i>COVID-19 Documents physically examined 08/02/2023 (initials)</i>	
Issuing Authority			
Document Number			
Expiration Date (if any) (mm/dd/yyyy)			
Document Title			
Issuing Authority			
Document Number			
Expiration Date (if any) (mm/dd/yyyy)			

**\*\* RELEVANT LINK \*\***

[Form I-9 Completion Examples](#)



# Authorized Representative

Employers may designate, hire, or contract with any person you choose to complete, update or make corrections to Section 2 or Supplement B on your behalf. This person is known as an [Authorized Representative](#).

- ✔ He or she must carry out full Form I-9 responsibilities
- ✔ Employees **CANNOT** act as authorized representatives for their own Form I-9
- ✔ Employers are still liable for any violations, including any violations of the employer sanctions laws committed by your authorized representative

# Authorized Representative Challenges

## Common Challenges:

- ✓ Administrative burdens to coordinate and support authorized representatives
- ✓ Increased error rates
- ✓ Employees privacy concerns

## Examples of Authorized Representatives:

- ✓ Any member of the general public
- ✓ Personnel officer
- ✓ Foreman
- ✓ Agent
- ✓ Supervisor
- ✓ \*Notary Public where permissible

\*This person is not acting in the capacity of a notary. This person must perform the same required actions to complete the verification process on your behalf as any other authorized representative, including signatures. When acting as an authorized representative, a notary public should not provide a notary seal on Form I-9.



# Authorized Representative Best Practices

You are not required to have a contract or other specific agreement with your authorized representative for Form I-9 purposes. You are responsible for ensuring that the person who completes the Form I-9 on your behalf is authorized to do so.

Some Best Practices to consider:

- ✔ Implement robust quality control and review procedures to minimize and correct errors
- ✔ Develop training and resources for authorized representatives
- ✔ Discuss potential limitations on who may serve as authorized representatives with counsel

# End of COVID-19 Flexibilities for Form I-9 Alternative Procedure

To qualify for the alternative procedure, the employer must have:

- Performed remote examination of an employee's documents between March 20, 2020, and July 31, 2023;
- Been enrolled in E-Verify at the time they completed the Form I-9 for that employee;
- Created a case in E-Verify for that employee (except for reverification); and
- Be currently enrolled in and continue to participate in E-Verify.

**Section 2. Employer or Authorized Representative Review and Verification**  
*(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the em must physically examine one document from List A OR a combination of one document from List B and one docu of Acceptable Documents.)*

<b>Employee Info from Section 1</b>	Last Name (Family Name) Washington	First Name (Given Name) George	IV N
List A Identify and Employment Authorization		OR	List B Identify
Document Title N/A	Document Title Driver's license issued by state/territory	Document Social Ser	
Issuing Authority N/A	Issuing Authority Virginia	Issuing A Social s	
Document Number N/A	Document Number 123456	Documer 123456	
Expiration Date (if any) (mm/dd/yyyy) N/A	Expiration Date (if any) (mm/dd/yyyy) 02/22/2022	Expirati N/A	
Document Title N/A	<b>Additional Information</b> Remote inspection completed on 03/30/2020  Alternative Procedure Examined on 08/15/2023 AA		
Issuing Authority N/A			
Document Number N/A			
Expiration Date (if any) (mm/dd/yyyy) N/A			
Document Title N/A			
Issuing Authority N/A			
Document Number N/A			
Expiration Date (if any) (mm/dd/yyyy) N/A			

**\*\* RELEVANT LINK \*\***

[E-Verify Employers May Use Alternative Procedure](#)

# What is Remote Document Examination?

- ✔ An option for employers to remotely examine Form I-9 documents
- ✔ Alternative to physical document inspection
- ✔ E-Verify participation required
- ✔ E-Verify employer in good standing
- ✔ Must be offered consistently to all employees
- ✔ Hybrid method:
  - Remote document examination for remote employees
  - Physical document inspection for on-site employees

**\*\* RELEVANT LINK \*\***

[Remote Examination of Documents](#)

# Remote Document Examination Procedures

- ✓ Employee transmits Form I-9 documentation to their employer
- ✓ Employer conducts a live video interaction with the employee
  - Employee must show the same document(s) they transmitted
  - Employer examines the documents presented during the interaction to ensure they reasonably appear to be genuine and relate to the employee
- ✓ Employer retains Form I-9 document copies with Form I-9

Remotely **examine** your employee's I-9 documents via live video



# Indicate Alternative Procedure on Form I-9

- ✓ On the Form I-9 dated 10/21/2019, notate “Alternative Procedure” in the Additional Information field in Section 2.
- ✓ On the Form I-9 dated 08/01/2023, check the box to indicate that you used an alternative procedure in the Additional Information field in Section 2.

**Section 2. Employer Review and Verification:** Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

	List A	OR	List B	AND	List C
Document Title 1					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)	Additional Information				
Issuing Authority	Additional Information				
Document Number (if any)					
Expiration Date (if any)					
Document Title 3 (if any)					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)	<input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.				
Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documents are true and correct copies of the original documents, and (3) the employee is eligible for employment in the United States.					First Day of Employment (mm/dd/yyyy):
<input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.					
Last Name, First Name and Title of Employer					
Employer's Business or Organization Name		Employer's Business or Organization Address, City or Town, State, ZIP Code			

# Lists of Acceptable Documents

## LISTS OF ACCEPTABLE DOCUMENTS

All documents containing an expiration date must be unexpired.

\* Documents extended by the issuing authority are considered unexpired.

Employees may present one selection from List A or a combination of one selection from List B and one selection from List C.

Examples of many of these documents appear in the Handbook for Employers (M-274).

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph		3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card		4. Native American tribal document
5. For an individual temporarily authorized to work for a specific employer because of his or her status or parole: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the individual's status or parole as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.		5. U.S. Military card or draft record		5. U.S. Citizen ID Card (Form I-197)
		6. Military dependent's ID card		6. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		7. U.S. Coast Guard Merchant Mariner Card		7. Employment authorization document issued by the Department of Homeland Security For examples, see <a href="#">Section 7</a> and <a href="#">Section 13</a> of the M-274 on <a href="https://uscis.gov/i-9-central">uscis.gov/i-9-central</a> The Form I-766, Employment Authorization Document, is a List A, Item Number 4, document, not a List C document.
		8. Native American tribal document		
		9. Driver's license issued by a Canadian government authority		
		For persons under age 18 who are unable to present a document listed above:		
		10. School record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		

### Acceptable Receipts

May be presented in lieu of a document listed above for a **temporary period**.

For receipt validity dates, see the M-274.

<ul style="list-style-type: none"> <li>Receipt for a replacement of a lost, stolen, or damaged List A document.</li> <li>Form I-94 issued to a lawful permanent resident that contains an I-551 stamp and a photograph of the individual.</li> <li>Form I-94 with "RE" notation or refugee stamp issued to a refugee.</li> </ul>	OR	Receipt for a replacement of a lost, stolen, or damaged List B document.	OR	Receipt for a replacement of a lost, stolen, or damaged List C document.
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\*Refer to the Employment Authorization Extensions page on [I-9 Central](#) for more information.

**Employee may present either:**

 **List A document** that establishes both identity and employment authorization

**OR**

 **List B document** that establishes identity (for E-Verify employers, List B document **must** include photo)

**AND**

 **List C document** that establishes employment authorization

You **cannot** specify which document(s) an employee will present from the list.



# List A Documents

## I-551 Automatic Extensions

Employers should accept an expired I-551 if presented with a Form I-797 Receipt Notice containing language extending the validity period.

LPRs may present an expired PRC in combination with this receipt notice as a List A Document:

- ### 24 Month Extension Permanent Residents

- Receipt Notice for Form I-90 Application to Replace Permanent Resident Card
- Receipt Notice for Form N-400 Application for Naturalization

Conditional residents may present an expired PRC in combination with this receipt notice as a List C Document:

- ### 48 Month Extension Conditional Permanent Residents

- Receipt Notice for Form I-751 Petition to Remove Conditions on Permanent Resident
- Receipt Notice for Form I-829 Petition by Investor to Remove Conditions on Permanent Resident Status

Department of Homeland Security  
U.S. Citizenship and Immigration Services

I-797, Notice of Action

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**THE UNITED STATES OF AMERICA**

RECEIPT NUMBER IOE12300005000		CASE TYPE I921 / I-821D	
RECEIPT DATE AUGUST 23, 2012	PRIORITY DATE	APPLICANT SMITH, JOHN	
NOTICE DATE October 12, 2012	PAGE 1 of 1		

John Smith  
100 Main Street  
Anytown, D.C. 12345

**Notice Type:** Approval Notice  
Valid from 10/12/2012 to 10/11/2014

Notice of Deferred Action:

This notice is to inform you regarding U.S. Citizenship and Immigration Services's (USCIS) decision on your Form I-821D, Consideration of Deferred Action for Childhood Arrivals.

USCIS, in the exercise of its prosecutorial discretion, has decided to defer action in your case. Deferred action is an exercise of prosecutorial discretion by USCIS not to pursue the removal of an individual from the United States for a specific period. Deferred action does not confer or alter any immigration status.

Unless terminated, this decision to defer removal action (DPA) remain in effect for 2 years from the date of this notice.

This form does not constitute employment authorization, nor may it be used in place of an Employment Authorization Document. If granted, you will receive your Employment Authorization Document separately by mail. Subsequent criminal activity after your case has been deferred is likely to result in termination of your deferred action. This notice does not provide permission to travel outside of the United States.

You are required to notify USCIS if you change your address; you may use the Alien's Change of Address Card, Form AR-11, to report a new address. That form may be found at [www.uscis.gov](http://www.uscis.gov). There is no fee for this change of address form.

NOTICE: USCIS and the U.S. Department of Homeland Security (DHS) reserve the right to verify the information submitted in this request and/or supporting documentation to ensure conformity with applicable laws, rules, regulations, and other authorities. Methods used for verifying information may include, but are not limited to, the review of public information and records, contact by correspondence, the internet, or telephone, and site inspections of businesses and residences. Information obtained during the course of the verification will be used to determine whether termination of deferred action and/or removal proceedings are appropriate if, for example, the requestor committed fraud or misrepresentation in his or her request for consideration of deferred action for childhood arrivals, or engaged in subsequent criminal activity following the submission of his or her request. Individuals for whom removal action is deferred under Deferred Action for Childhood Arrivals may, in the sole discretion of USCIS and DHS, be provided an opportunity to address derogatory information before deferred action is terminated and/or removal proceedings are initiated.

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Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
TEXAS SERVICE CENTER  
P O BOX 851488 - DEPT A  
MESQUITE TX 75185-1488  
Customer Service Telephone: (800) 375-5283

Form I-797 (Rev. 01/31/05) N





# List A Documents

## I-766 Automatic Extensions (TPS)

Employers should accept an expired I-766 in the following scenarios:

- ✓ EAD contains a Temporary Protected Status (TPS) Category (**A12** or **C19**)
- ✓ Sometimes DHS must issue a blanket automatic extension of the expiring EADs for TPS beneficiaries of a specific country in order to allow time for EADs with new validity dates to be issued.
- ✓ Countries eligible for TPS and auto extension information can be found on the country-specific [Temporary Protected Status](#) webpage or by clicking on the country name below

### Countries Currently Designated for Temporary Protected Status

<u><a href="#">Afghanistan</a></u>	<u><a href="#">Burma (Myanmar)</a></u>	<u><a href="#">Cameroon</a></u>	<u><a href="#">El Salvador</a></u>
<u><a href="#">Ethiopia</a></u>	<u><a href="#">Haiti</a></u>	<u><a href="#">Honduras</a></u>	<u><a href="#">Nepal</a></u>
<u><a href="#">Nicaragua</a></u>	<u><a href="#">Somalia</a></u>	<u><a href="#">South Sudan</a></u>	<u><a href="#">Sudan</a></u>
<u><a href="#">Syria</a></u>	<u><a href="#">Ukraine</a></u>	<u><a href="#">Venezuela</a></u>	<u><a href="#">Yemen</a></u>

# List A Documents

## I-766 Automatic Extensions (DED)

- ✓ EAD contains a Deferred Enforced Departure (DED) Category of **A11**
- ✓ Eligibility requirements for [Deferred Enforced Departure \(DED\)](#) are based on the terms the president specifies in each DED directive. Each presidential directive includes the criteria for an individual to be covered by DED and certain exceptions for individuals who are not covered.
- ✓ DED is in the president's discretion to authorize as part of his constitutional power to conduct foreign relations. Although DED is not a specific immigration status, individuals covered by DED are not subject to removal from the United States for a designated period of time.

### Countries Currently Covered Under DED

Liberia

Hong Kong

# List A Documents

## I-766 Automatic Extensions (I-797/I-797C)

- ✓ EAD is presented with a Form I-797 or I-797C Receipt Notice Containing language extending the validity period
- Received date on the notice is prior to the EAD expiration date
- EAD category matches class requested on the notice
  - 180 Day Auto Extension: Normal
  - [540 Day Auto Extension](#): Certain categories apply

✓ [Employment Authorization Document \(EAD\) Automatic Extension Calculator](#)

RECEIPT NUMBER EAC-		CASE TYPE 1765 APPLIC AUTHORIZATION
RECEIVED DATE April 1, 2020	PRIORITY DATE	APPLICANT A
NOTICE DATE April 1, 2020	PAGE 1 of 1	
		Notice Type: Receipt Amount received: \$28 Class requested: A05



# List C Documents

## Employment Authorization Document Issued by DHS

Some Employment Authorization Documents issued by the Department of Homeland Security (DHS) include but are not limited to:

- Form I-94 Arrival/Departure record
- Form I-571 Refugee Travel Document
- Unexpired Form I-327, Reentry Permit
- Form N-560, Certificate of U.S. Citizenship
- N-561, Replacement Certificate of Citizenship
- N-550, Certificate of Naturalization
- N-570, Replacement Certificate of Naturalization
- Form I-797 issued to a conditional resident in combination with expired Form I-551

7. Employment authorization document issued by the Department of Homeland Security

For examples, see [Section 7](#) and [Section 13](#) of the M-274 on [uscis.gov/i-9-central](https://uscis.gov/i-9-central).

The Form I-766, Employment Authorization Document, is a List A, **Item Number 4**, document, not a List C document.

### \*\* RELEVANT LINKS \*\*

[Section 7](#) and [Section 13](#) of the M-274  
[I-9 Central Acceptable Documents](#)

# Storage

## How to store Form I-9:

- ✓ Store Form I-9s securely in a way that meets your business needs
  - On-site or at an off-site facility
  - Microfilm or Microfiche
  - Electronically
- ✓ Ensure that only authorized personnel have access to stored Forms I-9
- ✓ Store copies of documents with the Form I-9 or with the employee's records
- ✓ Forms I-9 must be available within 3 days of an official request for inspection

**\*\* RELEVANT LINK \*\***

[Form I-9 Retention and Storage](#)



# Retention

**You must have a Form I-9 on file for ALL current employees.**

Calculate how much longer you must keep an employee's Form I-9 once they stop working for you:

✔ If they worked for less than two years, retain their form for three years after the date of hire

**OR**

✔ If they worked for more than two years, retain their form for one more year after the date they stop working for you

# Internal Audits

It is a best practice to conduct an internal audit on Forms I-9 annually:

- ✓ Develop a transparent process
- ✓ Arrange for annual Form I-9 audit by an external auditing firm or a trained employee not otherwise involved in the Form I-9 process
- ✓ Review all Forms I-9 or a sample of Forms I-9 based on neutral and non-discriminatory criteria
- ✓ Audits should be carefully conducted to prevent even the perception of discrimination or retaliation

**\*\* RELEVANT LINK \*\***

[Guidance for Conducting Internal Audits](#)

# Correcting Form I-9

## If you discover a mistake on Form I-9:

- ✓ Only employees may correct errors or omissions in Section 1
- ✓ Only employers or authorized representatives may correct errors or omissions in Section 2 and Supplement B
- ✓ Draw a line through incorrect information
  - Do not conceal errors by erasing text or using correction fluid
- ✓ Enter the correct or missing information
- ✓ Initial and date the correction or missing information
- ✓ To correct multiple errors, redo the section on a new Form I-9 and attach it to the old form. Attach a written explanation describing why you created a new Form I-9

# Correcting Form I-9 cont.

## If you discover you are missing the Form I-9 for an employee:

- ✔ Complete the form as soon as possible
- ✔ Do not backdate the form
- ✔ Attach a signed and dated explanation

## If you discover the wrong version of the Form I-9 was completed:

- ✔ Confirm documentation presented was acceptable under Form I-9 rules that were current at the time of hire
- ✔ Staple outdated form to a blank current version
- ✔ Sign the current blank version and provide an explanation

**\*\* RELEVANT LINKS \*\***

[Correcting Mistakes](#)

# Unlawful Conduct

## The INA prohibits four types of unlawful conduct:

- ✔ Citizenship or immigration status discrimination
  - Hiring, firing, or recruiting
- ✔ National origin discrimination
  - Hiring, firing, or recruiting
- ✔ Unfair documentary practices
  - Request more or different documents than required
  - Reject documents that reasonably appear to be genuine and relate to the employee
  - Specify certain documents that the worker should present
- ✔ Retaliation or intimidation (actual or perceived)
  - Files charges with IER
  - Asserts rights under the law

# Immigrant and Employee Rights (IER)



— U.S. DEPARTMENT OF JUSTICE —  
**IMMIGRANT & EMPLOYEE RIGHTS SECTION**  
— CIVIL RIGHTS DIVISION —

The anti-discrimination provisions of the INA are enforced by the Department of Justice, Civil Rights Division [Immigrant and Employee Rights](#).

Contact the IER regarding employment discrimination and employee rights and responsibilities.

<b>Worker Hotline</b>	<b>1-800-255-7688</b>	<b>(TDD: 1-800-616-5525)</b>
<b>Employer Hotline</b>	<b>1-800-255-8155</b>	<b>(TDD: 1-800-362-2735)</b>

(Both workers and employers may call anonymously)

# Form I-9 & E-Verify Work Together



# E-Verify Reminders

## All employees of E-Verify employers MUST

- ✔ Provide Social Security number (SSN) on Form I-9
- ✔ Select List B documents with photo, if provided for Form I-9

## All E-Verify employers MUST

- ✔ Use completed Form I-9
- ✔ Create E-Verify case by 3rd business day after 1st day of work for pay
- ✔ Enter employee email address into E-Verify, if provided for Form I-9
- ✔ Keep copy of photo matching document, if provided
- ✔ Reverify in Supplement B of Form I-9 only; do not create another E-Verify case

# E-Verify User Roles

User Role	Permissions
<b>Program Administrator</b> (at least one required)	The program administrator is responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures.
<b>General User</b>	Employers can have as many or no general users as they desire. The general user is responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures.

# E-Verify User Roles Cont.

The screenshot displays the E-Verify user interface. At the top left is the E-Verify logo. The navigation menu includes Home, Cases, Reports, and Resources. A user profile dropdown menu is open on the right, showing options like Company Account, Company Profile, Manage Users, Close Company Account, User Account, and Log Out. The main dashboard area features a welcome message and a summary of activity in the account. Below this are four key metrics cards: Cases to be Closed (601), Cases with Updates (22), Cases with Expiring Authorization Docs (0), and Recently Auto-Closed Cases (0). Each card has a corresponding 'View' button. At the bottom, there are four utility buttons: Create New Case, Search Cases, View Resources, and Contact Us.

**E-Verify** Home Cases Reports Resources

Welcome back, [User Name]

Here is what is happening in Newest CSC Test Account.3's account today

- Company Account
- Company Profile
- Manage Users
- Close Company Account
- User Account
- Log Out

Metric	Count	Action
Cases to be Closed	601	View Cases to be Closed
Cases with Updates	22	View Updated Cases
Cases with Expiring Authorization Docs	0	View Expiring Doc Cases
Recently Auto-Closed Cases	0	View Auto-Closed Cases

Create New Case Search Cases View Resources Contact Us

# E-Verify User Roles Cont.

## User Roles

Search (User ID, First Name and Last Name) 

[Hide Filters](#)

User Role

User Status

734 Users Found

[+ Add User](#)

User ID	Last Name	First Name	Status	User Role	Last
<a href="#">JHAL2507</a>			DEACTIVATED	Program Admin	Aug
<a href="#">NBER1010</a>			PENDING REACTIVATION	Program Admin	Oct 1
<a href="#">MMEL1106</a>			DEACTIVATED	General	Dec 1
<a href="#">EKWI8762</a>			ACTIVE	Program Admin	Aug
<a href="#">DDUN7969</a>			ACTIVE	Program Admin	Jun 0
<a href="#">CDAW7333</a>			DEACTIVATED	Program Admin	Jun 2
<a href="#">MMCA4985</a>			LOCKED	Program Admin	May
<a href="#">HWFS4904</a>			DEACTIVATED	General	Mar
<a href="#">CCAI1234</a>			ACTIVE	Program Admin	Aug
<a href="#">BSCA1234</a>			PASSWORD CHANGE REQUIRED	Program Admin	May

# E-Verify User Roles Cont.

## Tester Test

### User Information

**User ID**

TTES1234

**Email Address**

test@test.com

**User Role**

Program Administrator

**Last Name**

Test

**First Name**

Tester

**Middle Initial**

---

**Phone Number**

(123) 456-7890

[Edit User Information](#)

---

### Password

**Password Expires**

December 31, 2019 (in 1326 days)

[Change Password](#)

### Access

**User Account Status**

Locked

[Delete User](#)

# E-Verify Case Processing



Home Cases Reports Resources ▾



Welcome back, [redacted]!

Here is what is happening in Newest CSC Test Account.3,'s account today



560

Cases to be Closed

[View Cases to be Closed](#)



12

Cases with Updates

[View Updated Cases](#)



0

Cases with Expiring Authorization Docs

[View Expiring Doc Cases](#)



1

Recently Auto-Closed Cases

[View Auto-Closed Cases](#)

[Create New Case](#)

[Search Cases](#)

[View Resources](#)

[Contact Us](#)

# E-Verify Case Processing cont.

## Verify Employee

### Enter Form I-9 Information

- Enter Form I-9 Information
- Review Case
- Case Results

### Employee Information and Attestation

<b>Last Name</b> ⓘ <input type="text" value="Looney"/> <small>Family name or surname</small>	<b>First Name</b> <input type="text" value="Tunes"/> <small>Given name</small>	<b>Middle Initial</b> <input type="text" value="MI"/>
--	--	--

**Other Last Names Used**

If multiple last names, type each one and hit 'Enter' to submit and 'Backspace' to remove

**Date of Birth**

**U.S. Social Security Number**

# Tentative Nonconfirmation (Mismatch)

- ✓ Employers must notify the employee and complete the referral process within [10 federal government working days](#)
- ✓ Employer prints the Further Action Notice and reviews it with the employee promptly and privately
- ✓ Employee decides whether or not to take action to resolve the mismatch.
- ✓ Employer refers case and provides the Referral Date Confirmation for employees who take action
- ✓ Employee visits SSA or calls DHS. See [E-Verify What's New](#) for mismatch extensions due to public office closures
- ✓ Employer receives updated results in E-Verify and closes the case

Employee Chooses to Take Action	Employee Chooses NOT to Take Action
Employer refers employee to appropriate agency	Employer may terminate employee and close the case in E-Verify

# Best Practices: E-Verify Employer

## Employers should:

- ✓ Have two or more program administrators
- ✓ Be aware that general users can see all cases created by the company
- ✓ Use the E-Verify Self-Assessment Guides
- ✓ Use E-Verify [case reports](#)
- ✓ Create Case within 3 days following first day of work for pay
- ✓ Use only e-mail addresses provided in Section 1 by the employee
- ✓ PhotoMatch is a photo-to-photo match
- ✓ All TNC recipients must be given option to take action
- ✓ All E-Verify cases must be closed

# Compliance: Common Issues

## Employers must not:

- ❌ Use E-Verify to pre-screen applicants
- ❌ Use E-Verify selectively, E-Verify must only be used for all new hires
- ❌ Create cases for existing employees\*
- ❌ Request specific documents from an employee
- ❌ Ask for additional documents if employee gets a mismatch
- ❌ Influence employee decision to take action or not take action to resolve on a mismatch
- ❌ Terminate or take adverse action against an employee taking action to resolve a mismatch

\* Does not include employers with a federal contract that contains the FAR E-Verify clause

# Compliance:

## E-Verify Account Compliance (AC)

### E-Verify Account Compliance

- ✔ Helps employers comply with Memorandum of Understanding (MOU) and applicable laws.
  - Display E-Verify Participation Posters
  - Display Right to Work Posters
- ✔ Provides guidance on proper use
- ✔ Assists employers in avoiding discriminatory practices
- ✔ Assists in detecting employer abuses

**\*\* RELEVANT LINK \*\***

[E-Verify Account Compliance](#)

# Resources

## FORM I-9 & E-VERIFY LINKS

### [I-9 Central](#)

[Form I-9 Documents](#)

[Handbook for Employers](#)

[Acceptable Document Examples](#)

[Acceptable Receipts](#)

[Guidance for Conducting Audits](#)

### [E-Verify](#)

[E-Verify User Manual](#)

[Webinars Calendar](#)

[Employee Rights Toolkit](#)

*Stay Connected...*

Follow us on social media  
for Form I-9, E-Verify, myE-  
Verify, Self Check, employee  
rights and more



in



# Customer Support

E-Verify received one of the highest customer service ratings among federal agencies according to the American Customer Satisfaction Survey

- ✓ E-Verify Outreach: [E-VerifyOutreach@uscis.dhs.gov](mailto:E-VerifyOutreach@uscis.dhs.gov)
- ✓ Form I-9 E-Mail: [I-9Central@uscis.dhs.gov](mailto:I-9Central@uscis.dhs.gov)
- ✓ E-Verify E-Mail: [E-Verify@uscis.dhs.gov](mailto:E-Verify@uscis.dhs.gov)
- ✓ Employer Hotline: (888) 464 -4218
- ✓ Employee Hotline: (888) 897 -7781



QUESTIONS?

THANK YOU!