



Alerts

USCIS Releases New Form I-9 and Permits Remote Verification for E-Verify Employers

August 9, 2023

Insights for Employers

Effective August 1, 2023, the United States Citizenship and Immigration Services (USCIS) introduced a new version of Form I-9, Employment Eligibility Verification. The new version contains changes to the form and instructions, reducing the length of the Form I-9 to one page and the instructions to eight pages.

What Form I-9 Versions May Employers Use?

Employers are allowed to begin using the new Form I-9 on August 1, 2023, and must use the new Form I-9, dated "08/01/2023" starting on November 1, 2023. The Form I-9 dated "10/29/2019" may continue to be used by employers through October 31, 2023. The version date can be found in the lower left corner of the form.

Who Is Eligible To Use Remote Verification?

In order to qualify for remote verification, which USCIS is calling the "alternative procedure" for I-9 verification, the following conditions must be met:

- The employer must have enrolled in E-Verify for all hiring sites that will use the alternative procedure.
- The employer must be in compliance with all E-Verify program requirements, including verifying the employment eligibility of newly hired employees.
- The employer must continue to be a participant in good standing in E-Verify at any time the employer uses the remote verification process.

New E-Verify employers and any users who manage and create cases must complete an E-Verify tutorial—free and accessible as part of the enrollment process—that includes fraud awareness and anti-discrimination training.

If a company is an existing E-Verify employer, it should have already gone through the training and will not be required to complete the training again.

Attorneys

William B. Schiller

Ian D. Wagreich

Service Areas

Immigration

Labor & Employment



How Has the Form I-9 Changed?

Form I-9 changes include the following:

- The Preparer/Translator Certification has been moved to a separate, standalone supplement (Supplement A) that employers can provide to employees when necessary. Employers may attach additional supplement sheets as needed.
- The Reverification and Rehire section has been moved to a separate, standalone supplement (Supplement B) that employers can print if or when rehire occurs or re-verification is required. Employers may attach additional supplement sheets as necessary.
- Ensured the form can be filled out on tablets and mobile devices.
- Removed certain features to ensure the form can be downloaded easily. This also removes the requirement to enter N/A in certain fields.
- Revised the Lists of Acceptable Documents page to include some acceptable receipts as well as guidance and links to information on automatic extensions of employment authorization documentation.
- Added a box that eligible employers must check if the employee's Form I-9 documentation was examined under a DHS-authorized alternative procedure rather than via physical examination.

[View a full summary of the changes to the Form I-9 and instructions \(PDF\)](#)