

A red horizontal banner with the text 'e-Alert' in white, sans-serif font, centered on the banner. The banner is positioned over a background image of a person's hands typing on a laptop keyboard.

## e-Alert

06.09.21

# DHS Extends Remote Verification of I-9 Documents to August 31

## Background

Effective May 26, the Department of Homeland Security (DHS) and US Citizenship and Immigration Services (USCIS) announced that effective June 1, 2021 the [temporary regulations](#) allowing employers operating remotely due to COVID-19 to verify new hires' Form I-9 documents remotely as well will be extended. The regulations specify that employers are still responsible for physically verifying I-9 documents in-person when operations return to normal and include instructions for documenting this physical verification on the Form I-9. Initially, the temporary regulations were set to expire after 60 days on May 20, 2020, but they have been extended multiple times as the pandemic has stretched into 2021.

## Summary

Aside from the expiration date, all other terms of the temporary regulations will remain in place. It is important for employers to note that this extension **only** applies to employers who continue to operate remotely due to COVID-19. Employers that have physically

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reopened their workplace must resume physical inspection of all I-9 documents, if there are employees physically present at a work location, *no exceptions* are being implemented at this time for in-person verification of identity and employment eligibility documentation for Form I-9, Employment Eligibility Verification. However, if newly hired or existing employees are subject to COVID-19 quarantine or lockdown protocols, DHS will evaluate this on a case-by-case basis.

## Employer Next Steps

- Make your Human Resources team and all hiring managers aware of this extension.
- Continue tracking all employees whose I-9 documents are verified virtually so that you can physically inspect their documents when operations return to normal.
- Consider scheduling an I-9 audit through HRK or another service provider after reverting to normal processes to ensure that all your Form I-9s have been updated correctly.
- Consider moving to a [cloud-based I-9 platform](#).
- If you are a Full-Service or Virtual HR client and would like our assistance updating your I-9 processing and storage practices, please [email us](#).

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