

“Special E-Verify Webinar: Highlights of New Form I-9 and Remote Hiring” – Q&A

August 31, 2023

Q: Are e-signatures now accepted on the I-9? Or is a physical signature still required?

A: Employer can choose to use either signature, as long as the digital signature follows the [requirements](#) outlined in the Handbook for Employers (M-274).

Q: We process I-9 forms manually. Does an employee have to complete the I-9 form in the presence of a Human Resources representative only? Can the employee take the form home with them and bring it back with the acceptable documents they use to support it?

A: Your employees must complete and sign Section 1 of Form I-9 no later than their first day of employment. Section 1 is to be completed and signed by the employee. There’s no requirement for an HR representative to be present during the completion of Section 1.

Q: If a company uses an HRIS system for onboarding, and it interfaces with E-Verify, but they don't use E-Verify directly through their website, is that company still able to use live video for document verification?

A: Yes, you should be able to remotely examine documents since you’re technically using E-Verify, but through a third-party vendor, however, please check with your web services provider to confirm.

Q: Can you please repeat or reclarify: if you are an E-Verify employer, you cannot/can't? accept a list B document that has a picture?

A: An E-Verify Employer can only accept a List B document that contains a photograph for Form I-9.

Q: If an employee uses a temporary driver license as their List B document combined with the List C document, do they have to present the hard copy of the driver license once it's received in the mail?

A: A state-issued temporary driver's license is an acceptable Form I-9 List B document if it contains a photograph or identifying information such as name, date of birth, gender, height, eye color, and address. Any conditions on the temporary driver's license, such as that the expired license must accompany the temporary driver's license for it to be valid, must be followed.

Q: We have an MOU with E-Verify and our ATS is linked directly to our account so we can do all I-9's electronically. I noticed that the form from E-Verify is still the old version that expires 10/31. Does my

organization need to do something to ensure that the updated form is being used or will the E-Verify system automatically update the form?

A: Your organization uses a web services provider/third party system to complete Form I-9 and E-Verify. Please check with your web services provider for more information.

Q: Does section 2 have to be filled out in the presence of the employee? Or can section 2 be filled out after the employee has left the office?

A: As an employer, you or your authorized representative must complete and sign Section 2 of Form I-9 within 3 business days of the date of hire of your employee. There is no requirement that Section 2 must be completed in the presence of the employee.

Q: Does this presentation cover what would have been covered in the 30-minute Remotely Examining Documents session that USCIS is offering?

A: While this presentation provided details regarding remote document examination, the Remotely Examining Documents webinar is going to give you greater details regarding the rule and the processes. To register for this webinar, please visit e-verify.gov and visit our [webinar calendar](#).

Q: We employee college student workers. For the remote examination, can the student call their parent while they are in our HR office to show their original SSN card or birth certificate, then send us a picture of it?

A: No. To comply with the rules of the DHS-authorized [remote document examination procedure](#), the employee must first transmit copies of the Form I-9 documents they plan to present to you during a live video interaction, then the employee must present those same documents to you during the required live video interaction. The employee's parents may not show the employee's documents in a separate video interaction. The parents should send the employee their Form I-9 documentation so the employee can present it themselves.

Note that employees who are minors or individuals in special placement or with other disabilities can have their parents, legal guardians and preparers who are in the same location as the employee participate in the live video interaction with them to assist the employee in presenting their documents.

Q: Will USCIS update the I-9 explanation videos on YouTube with the Alternative Procedure information? Will any of those videos be updated or will other videos be added regarding this?

A: Unfortunately, we're unable to provide any information regarding plans to update our videos on YouTube at the moment.

Q: If we are a new E-Verify user and completing remote I-9s, and do not currently photocopy documents, do we have to start photocopying all documents? Or only the 3 listed at the bottom?

A: For documents examined remotely, employers are required to retain a clear copy (front and back, if two-sided) of all documents examined in a paper or electronic format, or in an acceptable combination, for as long as the employee works for you, plus the specified period after their employment has ended.

Q: Therefore, if a permanent resident doesn't voluntarily provide a I-551 card, I won't be able to make a copy of it, and that is acceptable then?

A: Correct. Employers may not ask for specific documents from the list of acceptable documents based on an employee's citizenship status or any other reason. Regarding this example provided, if the employee chooses to provide a List B and C document instead of his/her I-551 that is completely acceptable.

Q: I met with a new hire 3 months before their start date, but the US passport they presented expired before their start date. Do I have to meet with them again to view their passport?

A: No, you would not have to ask for new documentation in this case.

Q: If you a third party for I-9, like Equifax is it considered E-Verify?

A: Many third-party vendors offer E-Verify as a service, however you would have to contact Equifax for more information on what's included in their product/service.

Q: Moving forward, can we verify remote hires using the alternative procedure? Is this allowed?

A: If you participate in E-Verify in good standing, you are qualified to remotely examine your employee's documentation using a DHS-authorized alternative procedure at your E-Verify hiring sites. For more information on [remote examination of documents](#), visit www.uscis.gov/i-9-central.

Q: Does this NextGen product come with any cost to the employer?

A: No. NextGen does not have an associated cost to employers.

Q: How would the new Form I-9 affect the process if a company uses Equifax for the I-9 verification process?

A: You would have to contact your web services provider, Equifax, for more information as we cannot speak for their product.

Q: Can you clarify - if documents from sections B & C are presented in person, do we need front and back copies of said documents? If they are reviewed remotely, we request front and back copies of documents?

A: For documents examined remotely, employers are required to retain a clear copy (front and back, if two-sided) of all documents examined in a paper or electronic format, or in an acceptable combination, for as long as the employee works for you, plus the specified period after their employment has ended. However, this rule does not apply for documents that were physically examined in-person.

Q: I hire a lot of students at the university I work at. They often do not bring their documents to campus, as their parents have them back home. A lot of parents want to email copies and not send the originals in the mail, but ultimately, they have to if the student is to work on campus. I would assume that the students themselves must be the ones showing me their documents remotely, not their parents? With the new E-Verify update to view documents remotely this feels like a grey area that I would love to avoid

A: No. To comply with the rules of the DHS-authorized [remote document examination procedure](#), the employee must first transmit copies of the Form I-9 documents they plan to present to you during a live video interaction, then the employee must present those same documents to you during the required live video interaction. The employee's parents may not show the employee's documents in a separate video interaction. The parents should send the employee their Form I-9 documentation so the employee can present it themselves.

Note that employees who are minors or individuals in special placement or with other disabilities can have their parents, legal guardians and preparers who are in the same location as the employee participate in the live video interaction with them to assist the employee in presenting their documents.

Q: Will E-Verify NextGen replace E-Verify for all E-Verify users, or will we need to opt into it?

A: NextGen will be offered in addition to E-Verify and will not replace E-Verify. Employers will have the option to participate in NextGen.

Q: Is it okay to submit a E-Verify case for rehires that were hired before the company enrolled in E-Verify?

A: Employers have the option of treating all rehired employees as new hires by completing a new Form I-9 and creating a case in E-Verify. However, employers also have the option of completing Supplement B, Reverification and Rehire, for rehires and only completing a new Form I-9 and creating an E-Verify case upon rehiring employees for whom no previous E-Verify cases were created.

Q: If the employer already enrolled to E-Verify and want to do the remote examining documents. Does the hire need to mail the original I-9 back to the Employer?

A: That is up to the employer to decide how they wish to process the Form I-9. They can either mail it or use a digital signature that meets the [requirements](#) outlined in the M-274.

Q: Can we accept electronic signatures for the new alternative review of documents.

A: A: Employer can choose to use electronic signatures, as long as the signature follows the [requirements](#) outlined in the Handbook for Employers (M-274).

Q: If an employer doesn't use e verify, can they review documents remotely?

A: A company must participate in E-Verify to remotely examine Form I-9 documents.

Q: If an employer uses E-Verify to do its remote folks, does it have to use E-Verify with its onsite staff?

A: Yes. Once enrolled in E-Verify, your company is required to create a case in E-Verify for ALL new employees (remote & onsite) at your E-Verify hiring sites.

Q: If an employer enrolls in E-Verify in the future, will we have the ability to do remote inspection?

A: If you participate in E-Verify in good standing, you are qualified to remotely examine your employee's documentation using a DHS-authorized alternative procedure at your E-Verify hiring sites. For more information on [remote examination of documents](#), visit www.uscis.gov/i-9-central.

Q: Can I destroy paper copies of I-9 if I scanned the forms into their records.

A: You may retain Form I-9 using either a paper or electronic system, or a combination of both. If you complete a paper Form I-9, you may scan and upload the original signed form, correction or update, and retain it electronically. You may destroy the original paper form after you have securely stored it in an electronic format.

Q: If the verification is remote, how does the employer retain a copy of the identification document? We rely on employee to send it to the employer.

A: Yes. Copies of the document(s) the employee chooses to present for Form I-9 must be sent to the employer prior to the video chat that will allow examination of those documents.

Q: Where do we go to sign up for remote E-Verify? I came in on the signing up or did I hear incorrectly?

A: If you participate in E-Verify in good standing, you are qualified to remotely examine your employee's documentation using a DHS-authorized alternative procedure at your E-Verify hiring sites. For more information on [remote examination of documents](#), visit www.uscis.gov/i-9-central. For more information on E-Verify and how to enroll, visit E-Verify.gov.

Q: Does it matter if it is done by Zoom? Should the employee send copies of their Support Documents, or can we do a screenshot of the documents from the Zoom call?

A: No, there is no specific platform that must be used. Employers can choose whatever platform works best for them. Copies of the document(s) the employee chooses to present for Form I-9 must be sent to the employer prior to the video chat that will allow examination of those documents.

Q: Can an external person acting as authorized representative complete a remote ID review?

A: Yes. The authorized representative must perform all the employer duties described in the instructions and this handbook, and complete, sign and date Section 2 or Supplement B, Reverification and Rehire, on your behalf.

Q: Are we able to do in person I-9s for majority of new hires and for those that cannot come in person, allow those to do remotely? You mentioned one process should be done for all employees, if understood correctly.

A: An employer may choose to offer the alternative procedure for remote hires only but continue to apply physical examination procedures to all employees who work onsite or in a hybrid capacity, so long as the employer does not adopt such a practice for a discriminatory purpose or treat employees differently based on a protected characteristic. Under no circumstances can employers unlawfully discriminate, such as by deciding who is eligible for the alternative procedure based on a protected characteristic.

Q: Instead of a photocopier or scanner, is it acceptable to use a camera to make a copy of supporting documentation?

A: Copies of the document(s) the employee chooses to present for Form I-9 must be sent to the employer prior to the video chat that will allow examination of those documents. This can be done through email or whatever method works best for the employer.

Q: Does the employee/employer need to write N/A in any fields that are not being filled out on the Form I-9?

A: No. There's no longer a requirement to enter N/A in blank fields on Form I-9.

Q: If you video verify documents, are you stating the employee must still come in and meet with employer rep with documents to be copied and kept?

A: No. The employee sends Form I-9 documentation to their employer. The employer then conducts a live video interaction with the employee. During that interaction, the employee must show the same documents they previously sent to the employer. The employer examines the documents presented during the interaction to ensure they reasonably appear to be genuine and relate to the employee.

Q: Just to clarify, if List B doesn't have a picture (e.g., Voter Reg card) then that item cannot be used?

A: If you are an E-Verify employer, you may only accept List B documents that contain a photograph. If you don't participate in E-Verify, you are allowed to accept List B documents that do not contain a photograph.

Q: So, just to clarify, we CAN or we CANNOT verify via documents via TEAMS/ZOOM/GO to Meeting live?

A: There is no specific platform that must be used. Employers can choose whatever platform works best for them.

Q: What if individuals need more time to reverify covid-19 I-9 Forms? Are we aware if the deadline is being extended? (deadline was yesterday)

A: No. To comply with the rules of the DHS-authorized [remote document examination procedure](#), the employee must first transmit copies of the Form I-9 documents they plan to present to you during a live video interaction, then the employee must present those same documents to you during the required live video interaction. The employee's parents may not show the employee's documents in a separate video interaction. The parents should send the employee their Form I-9 documentation so the employee can present it themselves.

Note that employees who are minors or individuals in special placement or with other disabilities can have their parents, legal guardians and preparers who are in the same location as the employee participate in the live video interaction with them to assist the employee in presenting their documents.

Q: If a student is applying to work at a school- can they use that school ID as their List B photo doc?

A: Yes, a school ID is an acceptable List B document.

Q: In regard to slide 15 about Supplement B: When to Reverify on Form I-9, if I interpret the slides content correctly, we are not to reverify U.S. Citizens, noncitizen nationals, U.S. passports, passport cards, unexpired perm resident cards, expired perm resident cards, list B documents.

A: Yes, that is correct. Those documents should not be reverified upon expiration.

Q: Does this mean that for rehires, if they completed the form I-9 and E-Verify case coupled with it, we don't need to do either again?

A: This will depend on the details of the rehire. You can find more information and [guidance on rehires](#) at e-verify.gov.

Q: So just to reiterate, since we used E-Verify during Covid and did remote document reviewing we do not need to circle back with those hires to now "physically examine" them?

A: Yes, that is correct.

Q: Aside from checking the "alternate method" box, what verbiage should be in the text box for remote verification?

A: On the Form I-9 dated 08/01/2023, you're only required to check the box to indicate that you used an alternative procedure in the Additional Information field in Section 2. However, if you're using the Form I-9 dated 10/21/2019, notate "Alternative Procedure" in the Additional Information field in Section 2.

Q: In terms of remote verification document retention. If an employer has a rule of no retention and wants to utilize the remote option, does that now mean all docs (even if not remote) must be retained?

A: No. If you are using the remote examination process, you must retain a copy of the documents. For those that you do in person, that is optional, however if you do so for one, you must do it for all.

Q: What qualifies as acceptable copies for record keeping purposes if using the new remote verifying process? Can the employee provide pictures of their documents, or does it need to be a photocopy?

A: Yes, the employee can provide pictures of their Form I-9 document. Copies of the document(s) the employee chooses to present for Form I-9 must be sent to the employer prior to the video chat that will allow examination of those documents.

Q: Please share with me the information regarding using a webservice provider for E-Verify. We are about to begin using a webservice provider and begin using E-Verify through their integration and

want to know if we can use their alternative document examination that allows copies to be sent and originals to be viewed by video call. Thank you!

A: Yes, you should be able to remotely examine documents since you're technically using E-Verify but through a third-party vendor. However, please check with your web services provider to confirm.

Q: In terms of remote verification document retention. If an employer has a rule of no retention, but wants to utilize the remote option, does that now mean all docs (even if not remote) have to be retained?

A: For documents examined remotely, employers are required to retain a clear copy (front and back, if two-sided) of all documents examined in a paper or electronic format, or in an acceptable combination, for as long as the employee works for you, plus the specified period after their employment has ended. However, this rule does not apply for documents that were physically examined in-person.

Q: If an error is made on section 2, are we able to cross out an initial as in the old form?

A: Yes, that is still acceptable. Please make sure you're initialing and dating the correction.

Q: Can you provide the link to the 30-minute remote verification webinar?

A: Go to our [webinar calendar](#) on E-Verify.gov to view the schedule for the Remotely Examining Documents webinar.

Q: If we use E-Verify, do all employees who present a List B document need to have a photo on that document? Or can employees who are under the age of 18 (who do not have a photo List B doc) provide a List B Doc with no photo?

A: E-Verify employers may only accept List B identity documents that contain a photograph, including documents presented by minors.
