

Handouts for  
**E-VERIFY Webinar Training**  
September 18 – October 18, 2007

U.S. Department of Homeland Security

E-VERIFY Fact Sheet

Form I-9 - Employment Eligibility Verification

Poster (English): *Our hiring policy is simple: WE FOLLOW THE LAW!*

Poster (Spanish): *Our hiring policy is simple: WE FOLLOW THE LAW!*

U.S. Citizenship and Immigration Services

I Am an Employer . . . How Do I Complete Form I-9, Employment Verification?

I Am an Employer . . . How Do I Use E-Verify?

U.S. Department of Justice, Civil Rights Division

Poster (English): *IF YOU HAVE THE RIGHT TO WORK, Don't let anyone take it away.*

Poster (Spanish): *IF YOU HAVE THE RIGHT TO WORK, Don't let anyone take it away.*



Homeland  
Security

# Fact Sheet

August 10, 2007  
Contact: DHS Press Office, (202) 282-8010

## **E-VERIFY**

### **ABOUT E-VERIFY**

- E-Verify is a free and simple to use Web-based system that electronically verifies the employment eligibility of newly hired employees. For more information on E-Verify, visit [www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify).
- E-Verify is a partnership between the Department of Homeland Security (DHS) and the Social Security Administration. U.S. Citizenship and Immigration Services (USCIS) oversees the program.
- E-Verify is a re-branding of its predecessor, the Basic Pilot/Employment Eligibility Verification Program, which has been in existence since 1997. The Basic Pilot is being re-branded to highlight key enhancements in the program, including a new photo screening tool that helps employers to detect forged or faked immigration documents.
- E-Verify works by allowing participating employers to electronically compare employee information taken from the Form I-9 (the paper based employee eligibility verification form used for all new hires) against more than 425 million records in the Social Security Administration's (SSA) database and more than 60 million records in DHS immigration databases. Results are returned within seconds.
- E-verify is the only official U.S. government source that provides employers in the United States with real-time data that takes the subjectivity out of verifying employment eligibility.
- The primary goals of the EEV program are to protect jobs, not lose jobs, for authorized U.S. workers and to ensure a legal workforce in the United States.

- Currently, more than 19,000 employers are enrolled in E-Verify and 1000 new employers are signing up each month. The system is currently capable of handling up to 25 million inquiries a year.
- Through E-Verify, participating employers have successfully matched 92 percent of new hires to DHS and SSA database information. Of the remaining 8 percent that were not matched, less than one percent of those employees contested the result.

## **E-VERIFY ENHANCEMENTS**

### **PHOTO TOOL**

- E-Verify's new photo screening tool—to be launched by August 31, 2007— will be the beginning of biometric verification within the E-Verify system. This additional feature will be the first step in giving employers the tools they need to detect identify theft in the employment eligibility process.
- The photo tool screening feature will work by allowing an employer to check the photo on their new hire's Employment Authorization Document (EAD) or Permanent Resident Card (green card) against the 14.8 million images stored in DHS immigration databases.
- The employer will be able to compare identical photos—one from the card presented to the employee to the card image in the USCIS database. The photo screening tool is designed to detect when a photo is superimposed on an authentic immigration identification card or when the document is counterfeit but contains valid information with a different photo.
- The photo screening tool feature was piloted with a subset of E-Verify employers beginning in March 2007 and is scheduled to become a feature for all new and existing users of E-Verify by August 31, 2007.

### **OTHER ENHANCEMENTS**

- The photo screening feature is the answer to detecting some, but not all, forms of identity theft used in the employment eligibility verification process. E-Verify is constantly enhancing and improving its access to real time data by including more DHS databases in its system with the primary goal of driving down the mismatch rate.
- Other key enhancements coming in the future include an option for employers to generate letters for their employees in Spanish and other languages, an E-Verify website that will have a mini-tutorial for employers considering enrolling, web-based resources for employees on their rights and responsibilities, and a marketing and advertising campaign to educate employers on the benefits of E-Verify.

###

**INSTRUCTIONS**

PLEASE READ ALL INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS FORM.

**Anti-Discrimination Notice.** It is illegal to discriminate against any individual (other than an alien not authorized to work in the U.S.) in hiring, discharging, or recruiting or referring for a fee because of that individual's national origin or citizenship status. It is illegal to discriminate against work eligible individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

**Section 1 - Employee.** All employees, citizens and noncitizens, hired after November 6, 1986, must complete Section 1 of this form at the time of hire, which is the actual beginning of employment. **The employer is responsible for ensuring that Section 1 is timely and properly completed.**

**Preparer/Translator Certification.** The Preparer/Translator Certification must be completed if Section 1 is prepared by a person other than the employee. A preparer/translator may be used only when the employee is unable to complete Section 1 on his/her own. However, the employee must still sign Section 1 personally.

**Section 2 - Employer.** For the purpose of completing this form, the term "employer" includes those recruiters and referrers for a fee who are agricultural associations, agricultural employers or farm labor contractors.

Employers must complete Section 2 by examining evidence of identity and employment eligibility within three (3) business days of the date employment begins. If employees are authorized to work, but are unable to present the required document(s) within three business days, they must present a receipt for the application of the document(s) within three business days and the actual document(s) within ninety (90) days. However, if employers hire individuals for a duration of less than three business days, Section 2 must be completed at the time employment begins. **Employers must record:** 1) document title; 2) issuing authority; 3) document number, 4) expiration date, if any; and 5) the date employment begins. Employers must sign and date the certification. Employees must present original documents. Employers may, but are not required to, photocopy the document(s) presented. These photocopies may only be used for the verification process and must be retained with the I-9. **However, employers are still responsible for completing the I-9.**

**Section 3 - Updating and Reverification.** Employers must complete Section 3 when updating and/or reverifying the I-9. Employers must reverify employment eligibility of their employees on or before the expiration date recorded in Section 1. Employers **CANNOT** specify which document(s) they will accept from an employee.

- If an employee's name has changed at the time this form is being updated/reverified, complete Block A.
- If an employee is rehired within three (3) years of the date this form was originally completed and the employee is still eligible to be employed on the same basis as previously indicated on this form (updating), complete Block B and the signature block.
- If an employee is rehired within three (3) years of the date this form was originally completed and the employee's work authorization has expired or if a current employee's work authorization is about to expire (reverification), complete Block B and:

- examine any document that reflects that the employee is authorized to work in the U.S. (see List A or C),
- record the document title, document number and expiration date (if any) in Block C, and
- complete the signature block.

**Photocopying and Retaining Form I-9.** A blank I-9 may be reproduced, provided both sides are copied. The Instructions must be available to all employees completing this form. Employers must retain completed I-9s for three (3) years after the date of hire or one (1) year after the date employment ends, whichever is later.

**For more detailed information, you may refer to the Department of Homeland Security (DHS) Handbook for Employers, (Form M-274). You may obtain the handbook at your local U.S. Citizenship and Immigration Services (USCIS) office.**

**Privacy Act Notice.** The authority for collecting this information is the Immigration Reform and Control Act of 1986, Pub. L. 99-603 (8 USC 1324a).

This information is for employers to verify the eligibility of individuals for employment to preclude the unlawful hiring, or recruiting or referring for a fee, of aliens who are not authorized to work in the United States.

This information will be used by employers as a record of their basis for determining eligibility of an employee to work in the United States. The form will be kept by the employer and made available for inspection by officials of the U.S. Immigration and Customs Enforcement, Department of Labor and Office of Special Counsel for Immigration Related Unfair Employment Practices.

Submission of the information required in this form is voluntary. However, an individual may not begin employment unless this form is completed, since employers are subject to civil or criminal penalties if they do not comply with the Immigration Reform and Control Act of 1986.

**Reporting Burden.** We try to create forms and instructions that are accurate, can be easily understood and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. Accordingly, the reporting burden for this collection of information is computed as follows: 1) learning about this form, 5 minutes; 2) completing the form, 5 minutes; and 3) assembling and filing (recordkeeping) the form, 5 minutes, for an average of 15 minutes per response. If you have comments regarding the accuracy of this burden estimate, or suggestions for making this form simpler, you can write to U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., Washington, DC 20529. OMB No. 1615-0047.

**NOTE:** This is the 1991 edition of the Form I-9 that has been rebranded with a current printing date to reflect the recent transition from the INS to DHS and its components.

**EMPLOYERS MUST RETAIN COMPLETED FORM I-9  
PLEASE DO NOT MAIL COMPLETED FORM I-9 TO ICE OR USCIS**

# Employment Eligibility Verification

Please read instructions carefully before completing this form. The instructions must be available during completion of this form. **ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work eligible individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

**Section 1. Employee Information and Verification.** To be completed and signed by employee at the time employment begins.

Print Name: Last	First	Middle Initial	Maiden Name
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #
<b>I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.</b>		I attest, under penalty of perjury, that I am (check one of the following): <input type="checkbox"/> A citizen or national of the United States <input type="checkbox"/> A Lawful Permanent Resident (Alien #) A _____ <input type="checkbox"/> An alien authorized to work until _____ (Alien # or Admission #) _____	
		Employee's Signature	
			Date (month/day/year)

**Preparer and/or Translator Certification.** (To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/Translator's Signature	Print Name
Address (Street Name and Number, City, State, Zip Code)	
Date (month/day/year)	

**Section 2. Employer Review and Verification.** To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number and expiration date, if any, of the document(s).

List A	OR	List B	AND	List C
Document title: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____

**CERTIFICATION** - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) \_\_\_\_\_ and that to the best of my knowledge the employee is eligible to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name		Date (month/day/year)
Address (Street Name and Number, City, State, Zip Code)		

**Section 3. Updating and Reverification.** To be completed and signed by employer.

A. New Name (if applicable)	B. Date of Rehire (month/day/year) (if applicable)
C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment eligibility. Document Title: _____ Document #: _____ Expiration Date (if any): _____	
I attest, under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.	
Signature of Employer or Authorized Representative	Date (month/day/year)

**NOTE:** This is the 1991 edition of the Form I-9 that has been rebranded with a current printing date to reflect the recent transition from the INS to DHS and its components.

## LISTS OF ACCEPTABLE DOCUMENTS

LIST A	LIST B	LIST C
Documents that Establish Both Identity and Employment Eligibility	Documents that Establish Identity	Documents that Establish Employment Eligibility
<ol style="list-style-type: none"> <li>1. U.S. Passport (unexpired or expired)</li> <li>2. Certificate of U.S. Citizenship (Form N-560 or N-561)</li> <li>3. Certificate of Naturalization (Form N-550 or N-570)</li> <li>4. Unexpired foreign passport, with I-551 stamp or attached Form I-94 indicating unexpired employment authorization</li> <li>5. Permanent Resident Card or Alien Registration Receipt Card with photograph (Form I-151 or I-551)</li> <li>6. Unexpired Temporary Resident Card (Form I-688)</li> <li>7. Unexpired Employment Authorization Card (Form I-688A)</li> <li>8. Unexpired Reentry Permit (Form I-327)</li> <li>9. Unexpired Refugee Travel Document (Form I-571)</li> <li>10. Unexpired Employment Authorization Document issued by DHS that contains a photograph (Form I-688B)</li> </ol>	<p style="font-size: 2em; font-weight: bold; margin: 0;">OR</p> <ol style="list-style-type: none"> <li>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</li> <li>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</li> <li>3. School ID card with a photograph</li> <li>4. Voter's registration card</li> <li>5. U.S. Military card or draft record</li> <li>6. Military dependent's ID card</li> <li>7. U.S. Coast Guard Merchant Mariner Card</li> <li>8. Native American tribal document</li> <li>9. Driver's license issued by a Canadian government authority</li> </ol> <p style="text-align: center; font-weight: bold; margin: 0;">For persons under age 18 who are unable to present a document listed above:</p> <ol style="list-style-type: none"> <li>10. School record or report card</li> <li>11. Clinic, doctor or hospital record</li> <li>12. Day-care or nursery school record</li> </ol>	<p style="text-align: center; font-weight: bold; margin: 0;">AND</p> <ol style="list-style-type: none"> <li>1. U.S. social security card issued by the Social Security Administration (<i>other than a card stating it is not valid for employment</i>)</li> <li>2. Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350)</li> <li>3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal</li> <li>4. Native American tribal document</li> <li>5. U.S. Citizen ID Card (Form I-197)</li> <li>6. ID Card for use of Resident Citizen in the United States (Form I-179)</li> <li>7. Unexpired employment authorization document issued by DHS (<i>other than those listed under List A</i>)</li> </ol>

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

***Our hiring policy is simple:***

## **WE FOLLOW THE LAW!**

**This company hires lawful workers only – U.S. citizens or nationals and non-citizens with valid work authorization – without discrimination.**

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Federal immigration law requires all employers to verify both the identity and employment eligibility of all persons hired to work in the United States.

In its efforts to meet the law's requirements, this company is participating in the Basic Pilot program established by the Department of Homeland Security and the Social Security Administration (SSA) to aid employers in verifying the employment eligibility of all newly-hired employees. Our participation in the pilot program does not exempt us from the obligation to complete a Form I-9 for everyone we hire.

**For additional information on the verification program contact the:**

Department of Homeland Security  
USCIS/SAVE Program  
111 Massachusetts Avenue, 2<sup>nd</sup> Floor  
Washington, DC 20001  
Phone (888) 464-4218

***Nuestra póliza de empleo es simple:***

## **NOSOTROS SEGUIMOS LA LEY**

**Sin discriminación, esta compañía emplea solamente trabajadores legales – ciudadanos o nacionales de los Estados Unidos y extranjeros con autorización de trabajo.**

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La Ley Federal de Inmigración y Nacionalidad requiere que todas las empresas verifiquen la identidad y elegibilidad de las personas que buscan empleo en los Estados Unidos.

En su esfuerzo de cumplir los requisitos de la Ley, esta compañía participa en un programa Piloto Básico de verificación de empleo, establecido por El Departamento de Seguridad Nacional (DHS) en conjunto con la Administración de Seguro Social en esta forma los empleadores, verificaran la elegibilidad de todos los nuevos aplicantes. Nuestra participación en este programa piloto, hace que no exista ningun tipo de excepción en la Ley, tenemos la obligación de completar el formulario I-9 para toda persona que nosotros empleamos.

**Para mayor información de este programa de verificación, puede usted comunicarse:**

Department of Homeland Security

U.S. Citizenship and Immigration Services

Systematic Alien Verification for Entitlements (SAVE)Program

Washington, DC 20529

Phone (888) 464-4218



# I Am an Employer...

**E3**

How Do I...Complete Form I-9,  
Employment Verification?



U.S. Citizenship  
and Immigration  
Services

M-584 (12/06)

All U.S. employers are required by law to verify the employment eligibility of all employees employed in the United States (U.S.) regardless of the immigration status of the employees. Employers who hire or continue to employ individuals knowing that they are not authorized to be employed in the U.S. may face civil and criminal penalties. **Form I-9, *Employment Eligibility Verification***, must be completed on behalf of every employee, including U.S. citizens, permanent residents, and temporary foreign workers, to give evidence of the employer's compliance with the law and the employee's work authorization. Through the Form I-9 verification process, employers ensure that employees possess proper authorization to work in the U.S. and that hiring practices do not unlawfully discriminate based on immigration status.

## Who is responsible for completing the different sections of the I-9?

The employee is obligated to complete Section 1, Employee Information and Verification, of the Form I-9 at the time of hire.

The employer is obligated, after physically examining the documents presented by the employee, to complete Section 2, Employer Review and Verification, and Section 3, Updating and Reverification (if applicable), of the Form I-9.

## When should Section 1 of Form I-9 be completed?

Section 1 should be completed and signed by every newly hired employee (**an employee who has accepted the position**) on or before the first date of employment, regardless of his or her immigration status. The employee must attest that he or she is a U.S. citizen, a lawful permanent resident, or is otherwise authorized to work for the employer in the U.S. The employee must present documentation to the employer establishing identity and employment eligibility in accordance with the special instructions regarding the most current list of acceptable documents located on our website at [www.uscis.gov](http://www.uscis.gov).

## When should Section 2 of Form I-9 be completed?

Section 2 of the Form I-9 must be completed and signed by the employer, within three business days of hire, whether the he or she employs thousands of employees or only one. If the employment

relationship will last less than three days, then the employer must verify the documentation on the date of hire.

In addition, the employee may in certain instances use receipts in lieu of original documents in the Form I-9 process. If an individual's document has been lost, stolen, or damaged, then he/she can present a receipt for the application for a replacement document. The replacement document needs to be presented to the employer within 90 days of hire, or, in the case of re-verification, the date the employment authorization expires.

It is important to note that a receipt for an application for an initial or renewal (as opposed to a replacement) USCIS Employment Authorization Document (EAD) filed on a **Form I-765, *Application for Employment Authorization***, is NOT an acceptable document for Form I-9 verification purposes. For more information on the "receipt rule," see Employer Information Bulletins 101-103 on our website at [www.uscis.gov](http://www.uscis.gov).

The employer must physically examine the documentation establishing identity and employment eligibility presented by the employee. The most recent acceptable documentation can be found on our website at [www.uscis.gov](http://www.uscis.gov):

- List A (documentation establishing both identity and authorization to work)
- List B (documentation establishing only identity)
- List C (documentation establishing only authorization to work)

The employee may elect to provide one document from List A, or two documents—one from List B and one from List C.

## When should Section 3 of Form I-9 be completed?

Employers should complete Section 3 of the Form I-9 when updating and re-verifying the employment authorization of an employee whose previous valid authorization has expired. Section 3 is inapplicable to employees who are U.S. citizens or permanent residents. Section 3 should only be completed when the employee denotes that he or she is an alien authorized to work until a certain date in Section 1 of the Form I-9. For example, when a USCIS-issued employment authorization document is scheduled to expire, the



employer must re-verify that the employee has renewed his/her authorization to work and has a valid document from either List A or one from both List B and List C in his/her possession. The employee can choose which documents to provide.

Except for employees who are U.S. citizens or permanent residents, employers should re-verify the employment authorization of each employee who has presented evidence of work authorization that contains an expiration date.

### What if the employee only has temporary work authorization?

An employee that has been issued temporary work authorization must produce proof of continued work authorization before the date of expiration.

### Can I tell a potential employee what documents to present for verification?

No, an employer cannot tell an employee what documents to present for I-9 purposes. Employers may, however, direct the employee to the list of acceptable documents shown on the back of Form I-9 as well as the special instructions regarding the most current list of acceptable documents located on our website at [www.uscis.gov](http://www.uscis.gov). If an employee presents a document that is not one of the acceptable documents, an employer should ask for additional proof of identity and/or employment authorization.

### How do I know if a document is genuine or false?

An employer is not required to know with absolute certainty whether a document is genuine or false. The law merely requires that an employer examine the original of the document (not a photocopy) and make a good-faith determination that the document:

- Appears to relate to the employee;
- Appears to be genuine; and
- Is listed as an acceptable document on the back of the Form I-9.

Please note that the rejection of a document that later proves to be genuine could result in a violation of the anti-discrimination provisions of immigration law.

### Can photocopies be accepted?

No, employees must present original documents. The only exception is that a newly hired employee may present a certified copy of a birth certificate.

### How long should the Form I-9 be retained?

The Form I-9 should be retained for three years after the date of hire, or one year after the date employment ends, whichever is **later**.

### How can I get more information about the Form I-9?

The **M-274**, *Employer Handbook*, contains the instructions for completing the Form I-9. Both the Form I-9 and the handbook can be downloaded from our website at [www.uscis.gov](http://www.uscis.gov). We also have additional information about the Form I-9 on our website under "Employer Information."

## Key Information

Key forms referenced in this Fact Sheet	Form #
Employment Eligibility Verification	I-9
Application for Employment Authorization	I-765
Employer Handbook	M-274

### USCIS

#### • On the Internet at: [www.uscis.gov](http://www.uscis.gov)

For more copies of this Fact Sheet, or information about other citizenship and immigration services, visit our website. You can also download forms, e-file some applications, check the status of an application, and more. It's a great place to start! If you don't have Internet access at home or work, try your library. If you can't find what you need, call customer service.

#### • Customer Service: **1-800-357-2099**

- Hearing Impaired TDD Customer Service: 1-800-278-5732

**Disclaimer:** This Fact Sheet is a basic guide to help you become generally familiar with our rules and procedures. For more information, or the law and regulations, see our website. Immigration law can be complex, and it is impossible to describe every aspect of every process. You may wish to be represented by a licensed attorney or by a nonprofit agency accredited by the Board of Immigration Appeals.

### Other U.S. Government Services—click or call

<b>In general</b>	<a href="http://www.firstgov.gov">www.firstgov.gov</a>	1-800-333-4636
<b>U.S. Department of State</b>	<a href="http://www.state.gov">www.state.gov</a>	1-202-647-6575





# I Am an Employer...

**E4**

How Do I...Use E-Verify?



U.S. Citizenship  
and Immigration  
Services

M-655 (September 2007)

Formerly referred to as the Basic Pilot Program, E-Verify is an Internet-based system operated by U.S. Citizenship and Immigration Services (USCIS), part of the Department of Homeland Security (DHS), in partnership with the Social Security Administration (SSA). E-Verify is currently free to employers. E-Verify provides an automated link to Federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers.

## Why should I consider participating in E-Verify?

E-Verify is currently the best means available for employers to verify electronically the employment eligibility of their newly hired employees. E-Verify virtually eliminates Social Security mismatch letters, improves the accuracy of wage and tax reporting, protects jobs for authorized U.S. workers, and helps U.S. employers maintain a legal workforce. For more information about the process for using **Form I-9, Employment Eligibility Verification**, please see **Customer Guide E-3, I Am an Employer...How Do I...Complete Form I-9, Employment Verification**.

## Am I required to participate?

No. E-Verify is voluntary for all employers with very limited exceptions. (Some Federal Government employers and violators of certain immigration laws may be ordered to participate.)

## How do I register for participation in E-Verify?

You can register online for E-Verify at <https://www.vis-dhs.com/EmployerRegistration>, which provides instructions for completing the registration process. At the end of the registration process, you will be required to sign a Memorandum of Understanding (MOU) that provides the terms of agreement between you as the employer, the SSA, and DHS. An employee who has signatory authority for the employer can sign the MOU. Employers can use their discretion in identifying the best method by which to sign up their locations for E-Verify.

For example, an employer may choose to designate one site to perform the verification queries for newly hired employees on behalf of the entire company. Only one MOU would need to be signed for this option. An employer may also choose which sites to enroll in

E-Verify and to have each site perform its own verification queries. This option requires each site performing verification queries to register and to submit an MOU to participate in the program.

**Our company has several hiring sites interested in participating in E-Verify. Each site will be conducting the verification process for its newly hired employees. How should these sites register?**

Each site that will perform the employment verification queries must go through the registration process and sign an individual MOU.

**I am an employer with multiple hiring sites. Can one site verify everyone? How?**

Yes, one site may verify new hires at all sites. When registering, the individual at the site that will be verifying new hires should select "multiple site registration" and give the number of sites per State it will be verifying.

**If I sign one MOU, can I use a controlled rollout to implement E-Verify across the organization?**

Yes, you can choose which sites to enroll. However, each site that has signed an MOU must verify the status of **all** new hires for that site. A new MOU is required only for a new site performing verification queries. If a central location, which is already registered, does the verification queries, then the company would only need to amend the number of hiring sites.

**What is an E-Verify Designated Agent?**

An E-Verify Designated Agent is a liaison between E-Verify and employers wishing to participate, but who choose to outsource submission of employment eligibility verification queries for newly hired employees. E-Verify Designated Agents conduct the verification process for other employers or clients. An E-Verify Designated Agent must register online and sign an MOU with SSA and DHS. Once the MOU is approved, the E-Verify Designated Agent can then begin registering employers and clients who have designated it to perform the company's verification services. Each employer/client will also be required to sign an MOU and will have a unique E-Verify client number.

## What is an E-Verify Corporate Administrator?

An employer has the option to designate an employee as a Corporate Administrator. A Corporate Administrator is someone who has management oversight authority of the employer's hiring sites that participate in the program, but generally does not perform employment eligibility verification queries. The Corporate Administrator role enables oversight of all company sites participating in E-Verify. To become a Corporate Administrator, an individual only needs to register and does not need to sign an MOU. Once registered, this individual will be able to register company sites, add and delete users at company sites, and view reports generated by company sites. The Corporate Administrator, however, does not submit queries for verification.

## After an employer registers, how does E-Verify work?

Using an automated system, the program involves verification checks of SSA and DHS databases. The E-Verify MOU, User Manual, and Tutorial contain instructions and other related materials on E-Verify procedures and requirements. Once the user has completed the tutorial, he or she may begin using the system to verify the employment eligibility of all newly hired employees.

## What information is required to conduct an E-Verify initial verification?

After hiring a new employee and completing the **Form I-9** required for all new hires (regardless of E-Verify participation), the employer or agent must submit a query that includes information from sections 1 and 2 of the Form I-9, including:

- Employee's name and date of birth,
- Social Security Number (SSN),
- Citizenship status he or she attests to,
- An A number or I-94 number, if applicable,
- Type of document provided on the Form I-9 to establish work authorization status, and
- Proof of identity, and its expiration date, if applicable.

Response to the initial query is sent within seconds of submitting the query. Documents presented for Form I-9 identification only purposes (documents from "List B") to E-Verify employers must have a photograph.

## When may an employer initiate a query under E-Verify?

The earliest the employer may initiate a query is after an individual accepts an offer of employment and after the employee and employer complete the Form I-9. The employer must initiate the query no later than the end of 3 business days after the new hire's actual start date.

An employer may initiate the query before a new hire's actual start date; however, it may not pre-screen applicants and may not delay training or an actual start date based upon a tentative non-confirmation or a delay in the receipt of a confirmation of employment authorization. An employee should not face any adverse employment consequences based upon an employer's use of E-Verify unless a query results in a final non-confirmation. In addition, an employer cannot use an employment authorization response to speed up an employee's start date. This would be unfair treatment to use E-Verify results to accelerate employment for this employee compared to another who may have received a tentative non-confirmation.

For example, Company X always assigns a start-date to new employees that is 2 weeks after the employee has completed an approved drug test. After the employee has accepted a job with Company X and after the employee and Company X complete the Form I-9, the company can initiate the E-Verify query. However, the company cannot speed up or delay the employee's start-date based upon the results of the query (unless the program issues a final non-confirmation, in which case the employee should not be further employed).

Employers must verify employees in a non-discriminatory manner and may not schedule the timing of queries based upon the new hire's national origin, citizenship status, race, or other characteristic that is prohibited by U.S. law.

## What is the required timeframe for conducting an employment eligibility check on a newly hired employee?

Employers must make verification inquiries within 3 business days of an employee starting work.

## Which employees should be verified through the system?

As a participant in E-Verify, employers are required to verify all newly hired employees, both U.S. citizens and non-citizens. Employers may not verify selectively and must verify all new hires while participating in the program. The program may not be used to prescreen applicants for employment, go back and check employees hired before the company signed the MOU, or re-verify employees who have temporary work authorization.

## Can I verify the immigration status of a new hire that is not a U.S. citizen?

No. E-Verify only verifies a new hire's employment eligibility, not his or her immigration status.

## If I am an employer who would like to run an employee's Form I-9 information through E-Verify, but that employee does not yet have a Social Security Number, what should I do?

E-Verify cannot be used for employees who do not yet have a Social Security Number (SSN). If you are an employer with such an employee, you should complete the Form I-9 process with him or her and wait to run an E-Verify query on that individual until you have received his or her SSN. You should note on the I-9 form why you have not yet run an E-Verify query. Your employee should get his or her number to you quickly, and then you may run a query on that individual. In the meantime, you will have completed the Form I-9 Employment Eligibility Verification process with your employee and verified his or her work authorization so that your employee will be allowed to work temporarily without a SSN.

## I would like to use electronic Form I-9s for my employees. Does USCIS offer a system that would automatically generate E-Verify queries from the electronic Form I-9s?

Currently, USCIS does not offer this service, but several private companies do.

## Is there a "batch access" method in the system?

Yes, it is called "Web Services," and it is a real-time batch method. It requires a company to develop an interface between its personal system or electronic Form I-9 system and the E-Verify database. For more information and help with design specifications, please contact USCIS at **1-800-741-5023**.

### Can I terminate my participation in E-Verify at any time?

Yes, you may choose to leave E-Verify at any time.

### Does participation in E-Verify provide safe harbor from worksite enforcement?

No. Participation in E-Verify does not provide protection from worksite enforcement. However, an employer who verifies work authorization under E-Verify is presumed to have not knowingly hired an unauthorized alien.

### How can I find out more about E-Verify?

To find out more about E-Verify, please visit [www.dhs.gov/e-verify](http://www.dhs.gov/e-verify) or contact USCIS at **1-888-464-4218**.

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## Key Information

Key Forms Referenced in This Guide	Form #
Employment Eligibility Verification	I-9
Application for Employment Authorization	I-765
Employer Handbook	M-274

### How to Contact USCIS

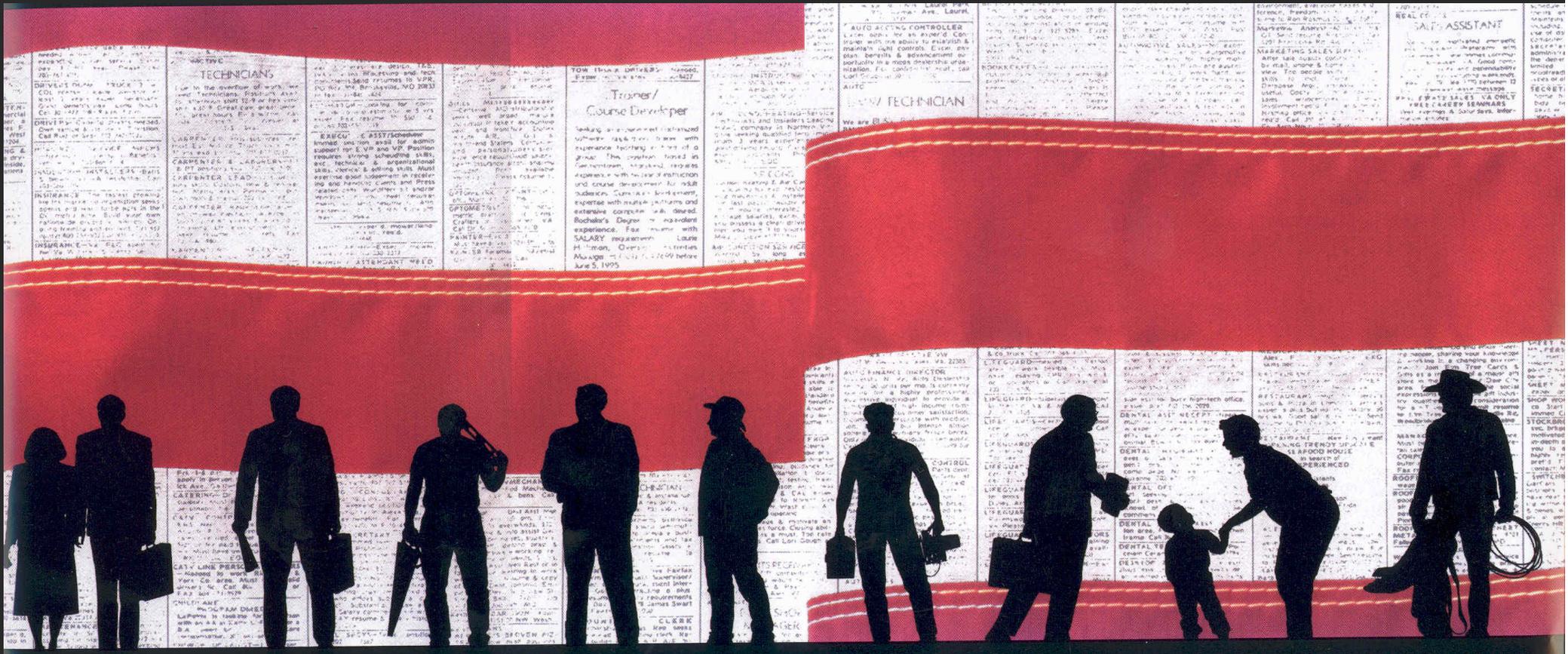
- **On the Internet at: [www.uscis.gov](http://www.uscis.gov)**  
For more copies of this guide, or information about other citizenship and immigration services, please visit our website. You can also download forms, e-file some applications, check the status of an application, and more. It's a great place to start! If you don't have Internet access at home or work, try your local library. If you can't find what you need, please call Customer Service.
- **Customer Service: 1-800-375-5283**
- Hearing Impaired TDD Customer Service: 1-800-767-1833

**Disclaimer:** This guide provides basic information to help you become generally familiar with our rules and procedures. For more information, or the law and regulations, please see our website. Immigration law can be complex, and it is impossible to describe every aspect of every process. You may wish to be represented by a licensed attorney or by a nonprofit agency accredited by the Board of Immigration Appeals.

### Other U.S. Government Services—Click or Call

General Information	<a href="http://www.firstgov.gov">www.firstgov.gov</a>	1-800-333-4636
U.S. Department of State	<a href="http://www.state.gov">www.state.gov</a>	1-202-647-6575

# IF YOU HAVE THE RIGHT TO WORK, Don't let anyone take it away.



**If you have a legal right to work in the United States, there are laws to protect you against discrimination in the workplace.**

**You should know that –**  
No employer can deny you a job or fire you because of your national origin or citizenship status.  
In most cases employers cannot require you to be a U.S. citizen or permanent resident or refuse any legally acceptable documents.

If any of these things have happened to you, you may have a valid charge of discrimination that can be filed with the OSC. Contact the OSC for assistance in your own language.

**Call 1-800-255-7688.** TDD for the hearing impaired is 1-800-237-2515.

In the Washington, D.C., area, please call **202-616-5594**, TDD 202-616-5525

Or write to:  
The Office of Special Counsel  
Civil Rights Division  
U.S. Department of Justice  
P.O. Box 27728,  
Washington, DC 20038-7728

**U.S. Department of Justice  
Civil Rights Division**

Office of Special Counsel for  
Immigration-Related Unfair  
Employment Practices



