



COVID-19 Guide: Tracker I-9 and E-Verify

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Overview:

This guide documents instructions and best practices relating to the temporary changes to the I-9 and E-Verify processes in response to COVID-19. Please note that USCIS, ICE and E-Verify guidelines can change quickly given the dynamic nature of the current pandemic. Therefore, the content and instructions in this guide are subject to change without notice. We will update this guide as soon as possible when USCIS, ICE and/or E-Verify makes a noteworthy change to their policies or guidelines.

This guide covers the following topics:

1. **General Form I-9** processing options and recommendations for the following use cases:
 - a. The new hire will onboard at the employer’s physical location
 - b. Options for onboarding a new hire that will start work remotely
 - c. The new hire will onboard at the employer’s physical location, but the I-9 Manager responsible for completing the I-9 works remotely and cannot meet with the employee to inspect their I-9 documents
2. **List B Document Expiration Date** rule changes
 - a. **Beginning May 1, 2022, employers will no longer be able to accept expired List B documents.**

- b. The new hire presents a List B Document with an expiration date on or after March 1, 2020, but the issuing authority automatically extended the document
 - c. The new hire presents a List B Document that expired on or after March 1, 2020 and the issuing authority did NOT automatically extend the document
- 3. **E-Verify TNC** processing updates
- 4. **FAQ**

Form I-9 Processing Options

The COVID-19 outbreak created new challenges for completing the Form I-9, especially Section 2 where the employee presents their identity and employment authorization document(s) for inspection. Below you will find a description of three onboarding scenarios and what options are available to you for processing a new Form I-9. Recently, DHS published new I-9 Document Review guidance on the ICE.gov site in response to the current COVID-19 situation, so we will cover when this new DHS option is available and what to do.

Scenario 1: The new hire will onboard at the employer's physical location

In this scenario, the new hire reports to work for onboarding at the employer's physical location and the I-9 Manager who will inspect the employee's Section 2 document(s) is also physically on site. Under these conditions, the employer is expected to follow the normal Form I-9 process requirements.

The I-9 Manager must physically inspect the employee's Section 2 document(s) in the presence of the employee. The I-9 Manager and employee can stand 6+ feet away from each other to complete the in-person document review.

SCENARIO 1 IMPORTANT NOTE: Once the Form I-9 is completed following this process, you are done. There are no additional steps that you need to take in light of COVID-19.

Continue reading to learn more about when the scenario above does not apply, such as when your employee is onboarding remotely.

Scenario 2: Options for onboarding the new hire who will start work remotely

If your organization onboards remote employee(s) prior to recent developments, or if your organization is taking physical proximity precautions and now your new hires are onboarding remotely, please continue reading for more information about remote I-9 processing options that are available to you.

Tracker's Employer Appoint or Employee Appoint Features

Currently, we encourage you to consider using the **Employer Appoint** or **Employee Appoint** option within Tracker I-9 Complete to ensure timely and compliant completion of the Form I-9 for new hires.

The Employer Appoint or Employee Appoint options must be enabled under the Client Settings section in the Client Administrative user view. Please contact the Tracker I-9 Support team for assistance with enabling one or both of these features.

Tracker's Employer Appoint Feature Workflow

Once enabled, an I-9 Manager with permission to view the new hire's Employee Profile in Tracker can initiate the Employer Appoint workflow. This workflow requires the following:

- **The employee's email address.** Tracker will send email communications to the employee, including a secure link to Section 1, as well as other important information for how to complete the remote hire process.
- **The email address of the remote Authorized Representative** who will serve as the employer agent for completing Section 2. Who can be an Authorized Representative? The federal rules are wide open. It can be a notary (but the notary cannot charge in some states, like in California, and can never use their notary seal per DHS rules). More commonly, it is a friend,

neighbor, coworker, banker, clergyman or almost anyone else you know well enough to ask. They simply need a mobile device or access to a computer where they can receive email.

- A best practice is for the Authorized Representative to be over 18 and not a family member. However, given the current circumstances and mobility limitations, asking a family member in the employee's household for help can be considered. Regardless of who serves as the Authorized Representative, per DHS guidelines, the employer is liable for any violations in connection with the form or the verification process.
- Once the employee and Authorized Representative email address are entered, Tracker automatically sends email notifications to the employee and the Authorized Representative to coordinate the in-person meeting for Section 2 completion.
- After the Authorized Representative completes Section 2 remotely, an I-9 Manager on the Tracker system reviews the I-9 and accepts or rejects the work done by the Authorized Representative when this review feature is enabled. The I-9 Manager can next submit an E-Verify case or if E-Verify is not needed the process is complete.

The process above is used when creating a new I-9. If you have existing I-9s that utilize a remote section 1 only or multi-use link workflow, these I-9s can be changed to use a remote section 1 and 2 workflow. To modify the workflow, access the I-9 and select the Action button and select the Change I-9 Workflow and enter the information for the Authorized Representative

See the Tracker I-9 Complete User Manual for more information about how to create an Employer Appoint Form I-9 and the steps that follow ([link](#)).

Tracker's Employee Appoint Feature Workflow

Once enabled, an I-9 Manager with permission to view the new hire's Employee Profile in Tracker can initiate the Employee Appoint workflow. This workflow is identical to the Employer Appoint Workflow, except the new hire is tasked with identifying the remote Authorized Representative.

After Section 1 is signed, the Tracker system will display the Authorized Representative Designation Process Page that provides instructions to the employee for how to identify and enter the Authorized Representative's name and email address to facilitate the Section 2 process.

See the Tracker I-9 Complete User Manual for more information about how to create an Employee Appoint I-9 and the steps that follow ([link](#)).

SCENARIO 2 IMPORTANT NOTE: Once the Form I-9 is completed following the Employer Appoint or Employee Appoint process, no additional steps are required. As with the in-person process described above, there are no additional steps that you need to take considering COVID-19.

Scenario 3: DHS Remote I-9 Document Review

If the Employer Appoint or Employee Appoint features in Tracker is not an option, the DHS method may be a viable alternative.

Remote I-9 Document Review: As long as the temporary policy is in effect, DHS permits the in-person requirement to *physically inspect the employee's document* to be **deferred** if the new hire works remotely. The employee's identity and employment authorization documents can now be inspected via "video link, fax, or email, etc." for the time period described below. This "virtual" document inspection

must **still** occur within the Section 2 compliance deadline (no later than the third business day after the employee starts work for pay). Employers must retain a copy of the documents inspected and take other steps to document this process.

Policy Announcements (UPDATED 10-14-2022)

Below is a history of the DHS publications authorizing the temporary remote I-9 document verification process.

Publication	Publication Date	Policy Expiration Date	Publication Link
Original Announcement	March 19, 2020	May 19, 2020	link
1 st Extension	May 14, 2020	June 19, 2020	link
2 nd Extension	June 16, 2020	July 19, 2020	link
3 rd Extension ¹	July 18, 2020	August 19, 2020	link
4 th Extension	September 15, 2020	November 19, 2020	link
5 th Extension	November 18, 2020	December 31, 2020	link
6 th Extension	December 23, 2020	January 31, 2021	link
7 th Extension	January 27, 2021	March 31, 2021	link
8 th Extension	March 31, 2021	May 31, 2021	link
9 th Extension	May 26, 2021	August 31, 2021	link
10 th Extension	August 31, 2021	December 31, 2021	link
11 th Extension	December 15, 2021	April 30, 2022	link
12 th Extension	April 25, 2021	October 31, 2022	link
13 th Extension	October 11, 2022	July 31, 2023	link

Once the policy expires, all US employers are expected to following requirements that original I-9 documentation must be inspected in the presence of the employee by the same individual who will complete and sign Section 2 or Section 3.

The DHS alternative **only** applies to remote employees who are “taking physical proximity precautions due to COVID-19” and cannot meet with their employer (scenario 1 above) or an employer agent (scenario 2 above) in person to complete the I-9.

However, there are three drawbacks with the DHS approved method.

1. First, the DHS remote document verification requires that copies of the documents must be obtained and retained with the I-9, even if your company policy conflicts with this requirement.
2. Second, while the DHS method allows employers to inspect documents virtually, the employer must later meet with the employee in person and review the original documents in their presence (more on this below).
3. The DHS remote I-9 document review policy may change at any moment, for better or worse, as USCIS & DHS continues to provide additional guidance and updates.

Still, having more options is beneficial, and in some circumstances the DHS remote document verification process may be the only viable option.

¹ ICE also announced that after July 19, no additional extensions will be granted to employers served notices of inspections during the month of March 2020.

Below is a summary of the new DHS policy, followed by a detailed description and walkthrough of how to follow these guidelines when completing a new I-9 in the Tracker I-9 Complete system.

SCENARIO 3 IMPORTANT NOTE: Again, once the Form I-9 is completed following the DHS remote document review method, additional steps are required.

Summary: The changes described in the DHS announcement are designed to help employers complete I-9s more safely. However, the DHS alternative introduces several follow-up actions and complications that you can avoid if you use Tracker’s Employer Appoint² or Employee Appoint features.

Remote I-9 Document Review: DHS now permits the in-person requirement to *physically inspect the employee’s document* to be **deferred** if the new hire works remotely. The employee’s identity and employment authorization documents can now be inspected via “video link, fax, or email, etc.” for the time period described below. This “virtual” document inspection must **still** occur within the Section 2 compliance deadline (no later than the third business day after the employee starts work for pay). Employers must retain a copy of the documents inspected and take other steps to document this process.

The Catch: As soon as “normal operations resume,” employers are expected to physically inspect the previously reviewed document in the presence of the employee and update the I-9 accordingly. More details below:

Noteworthy Exceptions: New hires reporting to work at the employer’s physical location **must** continue to meet face-to-face with the Authorized Representative for Section 2 completion (scenarios 1 & 2 described above). The new DHS option only applies to the “Employers with employees taking physical proximity precautions due to COVID-19.”

DHS Remote Document Review Workflow

The DHS remote document review workflow involves the following steps:

- 1. Confirm that a new hire’s I-9 qualifies for the DHS remote document inspection workflow**
- 2. Provide written documentation of your remote onboarding policy to the new hire**
- 3. Complete Section 2/3 when documents are inspected remotely**
- 4. Track I-9s where documents were remotely inspected for follow-up action**
- 5. Update remotely inspected document I-9s after the ICE policy ends, or whenever “normal operations” resume at a work location (more on this below)**

Qualifying New Hire I-9s:

If the new hire is onboarding from home because they are self-quarantined, or your organization is taking physical proximity precautions due to COVID-19, you may choose to inspect the employee’s identity and employment authorization document(s) via video link (such as Zoom, GoToMeeting, or any other similar virtual meeting room tool), fax, or email.

² Formerly known as “Remote Section 1 & Remote Section 2”

If the new hire reports to work at your organization’s physical location, you are expected to physically inspect the employee’s identity and employment authorization document(s) in their presence. Per CDC’s recommendation, establish a distance of at least 6 feet for these in-person meetings.

Remember, regardless of how you inspect the documents, Section 2 must be completed no later than the third business day after the employee starts work for pay.

Qualifying Section 3 Reverifications:

The same rule applies for reverifications. If the employee being reverified is working from home because they are self-quarantined, or your organization is taking physical proximity precautions due to COVID-19, then you may choose to inspect the employee’s Section 3 employment authorization document via video link (such as Zoom, GoToMeeting, or any other similar virtual meeting room tool), fax, or email. Employees working on-site must be reverified in person.

Remember, regardless of how you inspect the employment verification document, Section 3 must be completed no later than the day the employee’s current work authorization expires.

Provide Documentation to the New Hire

DHS instructions require the employer to “provide written documentation of their remote onboarding and telework policy for each employee.” We interpret this requirement to mean that employees must be advised of what they need to do to complete the remote document review process. For example, the employee facing document should describe:

1. A general description of your organization’s remote employee policy, which is the reason why the remote document review process is required.
2. The deadline for completing the remote document review process.
3. The preferred method for reviewing document remotely (e.g. video link, fax, email, etc.). If using a “video link,” how the employee will receive the link, and what alternatives are available if the employee is unable to use video link technology.
4. How the employee will provide copies of the remotely inspected documents (more on this below).
5. A description of the in-person document review process that follows once business returns to normal (more on this below).
6. Who the employee should reach out to if they have any questions or concerns.

Completing Section 2 when Documents are Inspected Remotely

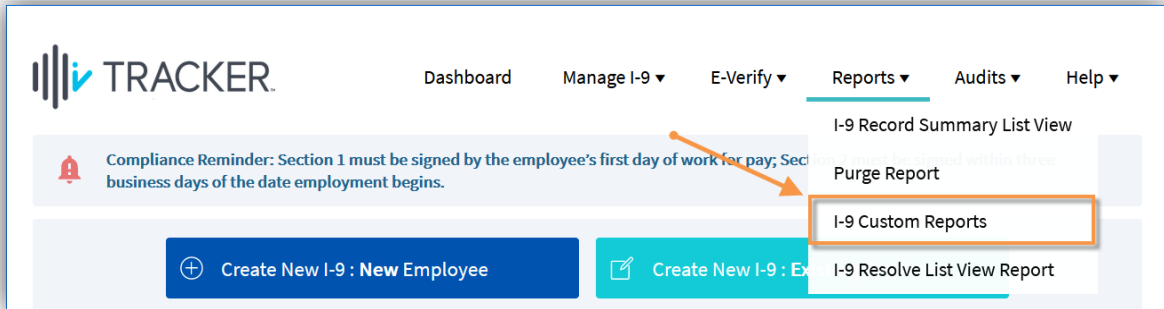
When you initially complete the I-9 and inspect the Section 2 documents remotely, DHS instructions state that you must:

1. Retain a copy of the remotely inspected document. To do this in Tracker I-9 Complete, select the “View/Upload File” and upload an image file attachment of the document(s) inspected. Image files must not exceed 10MB and must be in PDF, GIF or JPG format. Helpful tips:
 - a. **Security:** Receiving image files of the employee’s documents with Personally Identifiable Information (PII) via email is not in line with common security best practices unless the image files are encrypted and password protected. Faxed images also pose security risks. Please make sure you follow your organization’s security policies.

Tracking Remotely Inspected Document I-9s:

Customers will want to keep track of impacted I-9s to ensure that the steps above are followed and the in-person document inspection follow-up tasks are managed. To do this, build a Custom Report to return all I-9s where documents were inspected remotely.

Step 1: Navigate to the I-9 Custom Report page



Select the filter criteria that best fits your reporting needs. We suggested the following:

- Select all impacted worksites
- Date Type: Create Date
- "From" date: The first day you started inspecting document remotely
- "To" date: Leave this date field empty until you stop inspecting documents remotely, then enter the last day you inspected documents remotely
- Select all Citizen Status options
- Select all Next Action options
- Optionally, any additional Fields that will help you with your process

Choose Report Type ⓘ

Report Type My Reports Shared Reports

Select Report **Add New Custom Report** ▼

Manage Reports **Reset All**

Search by Worksite Search by I9 ID

Choose Worksites

At least one selection is required.

Filter by Keyword

Select All 9 Worksites Selected

- ▼ ACME Corporation
 - (No Worksite Selected)
 - ▼ ACME Corporation
 - ACME Headquarters
 - East Coast Sales Office
 - West Coast Office (EV OFF)
 - ▼ Remote Employees

Choose I-9 Information

Next Action

- NONE
- ENTER START DATE
- Complete Section 1
- Complete Section 2
- Complete Section 3
- Reverification Due
- Receipt Reverification Due
- Complete E-Verify
- Purge
- Awaiting Section 2 Approval
- Appoint Section 2 Representative
- Awaiting Section 3 Approval
- Appoint Section 3 Representative
- Resolve Errors

Citizenship Status

- None
- Citizen
- Noncitizen National
- Permanent Resident
- Authorized Alien

Date Type

- Create Date
- Start Date
- Section 2 Signature Date
- Next Action Due Date

From

To

Next, select the Report Fields to include in the report by drag-dropping a field from the list of available fields to the right-hand Selected Fields column. We suggest the following

- Employee Profile Worksite
- Employee Profile Name
- Additional Information (maps to the Section 2 “Additional Information” text box)
- Created On
- Start Date
- Next Action
- Optionally, any additional Fields that will help you with your process

Choose Report Fields

Drag and drop fields to add them to the report or rearrange the order of the Selected Fields.

Available Fields

All

Client Name	External Client ID	Client ID
External Employer ID	Next Action Due Date	Employment Status
Employee ID	SSN Last Four	Tracker Employee Profile ID
Birth Date	Section 1 Signed	Last Section 1 Amendment Date
Last Section 1 Amended By	I-9 Created By	I-9 Manager Name
A-Number	Reverification Due Date	Admission or Alien Number
Alien Authorized Until	Terminated Date	Employee Address

Selected Fields

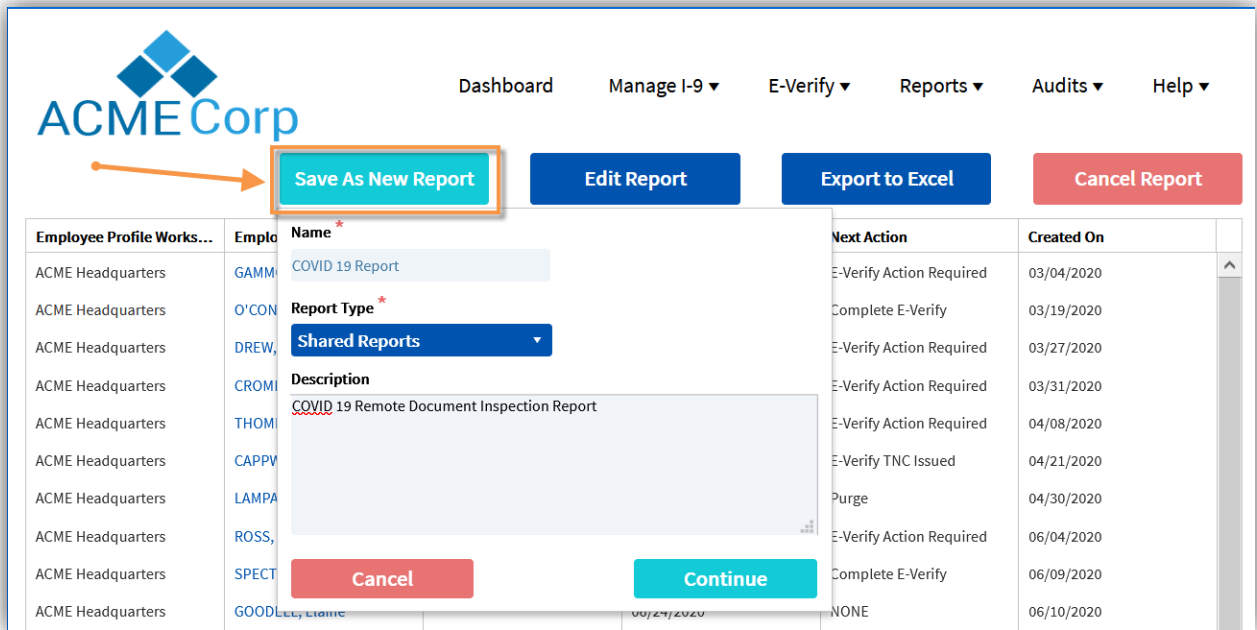
- Employee Profile Worksite
- Employee Name
- Additional Information
- Start Date
- Next Action
- Created On

Once you have the criteria and fields defined, click “Run Report” to generate the results. In the example below the report results include one I-9 with the “COVID-19” in the results.

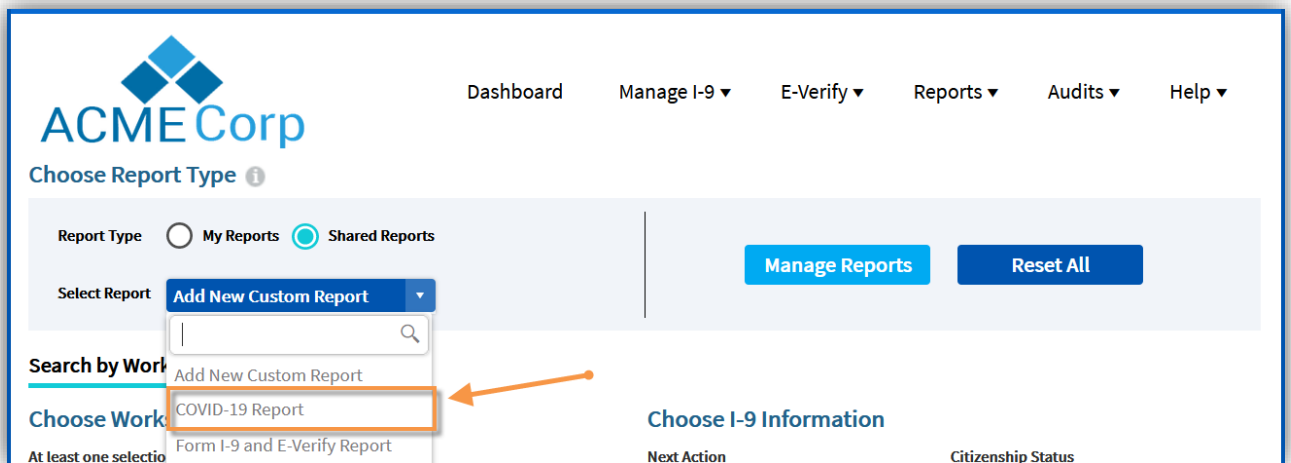
Employee Profile Works...	Employee Name	Additional Information	Start Date	Next Action	Created On
ACME Headquarters	GAMMONDS, Jason		04/01/2020	E-Verify Action Required	03/04/2020
ACME Headquarters	O'CONNOR, James	COVID-19	03/25/2020	Complete E-Verify	03/19/2020
ACME Headquarters	DREW, Nancy		03/28/2020	E-Verify Action Required	03/27/2020
ACME Headquarters	CROMMER, David		03/31/2020	E-Verify Action Required	03/31/2020
ACME Headquarters	THOMPSON, Leroy		04/07/2020	E-Verify Action Required	04/08/2020
ACME Headquarters	CAPPWELL, Henry		04/20/2020	E-Verify TNC Issued	04/21/2020
ACME Headquarters	LAMPART, Henry		05/04/2020	Purge	04/30/2020

TIP: You can export the results to Excel and manipulate the data as necessary. You can also click Edit Report to change the criteria or fields.

Once you are happy with the report’s criteria, save the report to My Reports (or Shared Reports) for later use, by clicking the “Save As New Report” button and filling out the saved report fields.



To run the saved report, simply select the Report's Name from the saved report dropdown on the main Custom Report page.



In-Person Document Inspection Follow-up Requirements

DHS instructions clearly state that once the temporary policy permitting remote I-9 document inspections ends (set for August 19, 2020) or “as soon as normal operations resume,” **within three business days**, employers are expected to physically inspect the previously reviewed document in the presence of the employee and update the I-9 accordingly.

Interpreting “Normal Operations Resume”

Tracker’s legal counsel provided the following interpretation of the phase “normal operations resume” that appears on the DHS notifications.

IMPORTANT NOTE: The information share below is general guidance. This interpretation does not necessarily cover all possible COVID-19 scenarios. Since circumstances for your business or area may vary, we strongly recommend that you consult with informed legal counsel who has knowledge of your situation and can tailor their advice accordingly.

To Tracker I-9 Team,

You have asked our firm’s legal opinion on actions that should be taken by employers who have taken advantage of either DHS provision (3/20/20 and 5/2/4/20, respectively) that temporarily amended I-9 procedural rules during COVID-19 sheltering measures. Specifically, the question arose as to when an employer has a duty to complete the in-person verification of remotely inspected or expired identity documents after “normal operations resume,” with the understanding that many Tracker I-9 clients are widely dispersed across varying states, adhering to differing state and local sheltering ordinances. It is our opinion that the requirement to “re-do” Sections 2 or 3 within three business days after “normal operations resume” only applies at the worksites that have actually resumed operations. The three-day requirement would not apply to a worksite or division that has not reopened, as this could put the employer in a situation of choosing between conflicting rules and safety requirements.

It is also our opinion that, for many employers, the easiest and safest route is to use the Authorized Representative (neighbor, friend, local merchant, co-worker) option that has been lawful for years... so that employers don’t need to worry about whether they followed the challenging two-part compliance of the temporary DHS measures – or whether they even qualified for the flexibility because of uncertainty around the future interpretation of the DHS warning that remote inspection is not permitted “if there are employees physically present at a work location.” The one-step method is discussed here:

<https://blog.trackercorp.com/how-new-employees-can-start-work-even-if-covid-19-means-they-cant-meet-for-the-in-person-i-9-requirement>

In-Person Document Inspection Follow-up Process

When it is time to inspect the original documents in the employee’s presence, the Form I-9 will need to be updated. USCIS added some additional details to their instructions for how to handle two different physical inspection scenarios:

1. The same individual who examined the document remotely and signed Section 2 is the same person who will conduct the physical inspection, or
2. The physical inspection will be conducted by a different person. In this case, they should enter their full name and title in the Additional Information field

The individual who will update the Form I-9 must have a Tracker I-9 Manager user account, log into Tracker, and navigate to the Form I-9 in Tracker.

For scenario 1, the individual should update the Section 2 Additional Information textbox by adding the text “Documents physically examined [DATE] [Individual’s Initials]” immediately next to the previously entered “COVID-19” entry. For example, if Tim Thompson inspected the documents remotely and now

inspects the physical documents on July 17, 2020, enter “Documents physically examined on 7/17/2020 TT” next to the previously entered COVID-19 annotation.

For scenario 2, if Sally Simpson did not inspect the document remotely but will inspect the physical documents on July 17, 2020, enter “Documents physically examined on 7/17/2020 by HR Manager Sally Simpson” next to the previously entered COVID-19 annotation.

If you already updated Form I-9s after the deferred physical document inspection and the annotation in the Additional Document section is slightly different, don’t worry and don’t feel compelled to go back and update the I-9s again. We believe employers should not be penalized if they used reasonably alternative wording or methods for annotating their I-9s.

Employment Verification Documents * (The Employee Must Present One Document from List A OR one document from List B and List C).
Use the drop-down menu to select a document from List A or one from List B and C. Then, enter the respective document number(s) and expiration date(s).
Click the (i) button for more information about a specific document. [Click here to Clear Documents](#)

List A	
Document	U.S. Passport * (i) Reselect from list
Issuing Authority:	U.S. Department of State * (i)
Document #:	123123123 * (i)
Expires:	2/2/2022 * (i)
Attachment	View/Upload File

Employee presented an acceptable receipt in lieu of an original document in List A (i)

Additional Information (i)

COVID-19 documents physically examined 7/17/2020 TT

[Save/Validate](#)

Once you have updated the Additional Information textbox after inspecting the original documents, click the “Save/Validate” button to amend the Section 2. The changes to the Additional Information textbox will be recorded in the Electronic I-9 Audit trail.

Using a Third Party for Deferred Physical Document Inspections

This section only applies if:

1. Your organization relied upon the temporary remote document inspection policy, and
2. Normal operations resume, or the temporary remote document inspection policy ends, and
3. The deferred physical document inspection cannot be conducted by an I-9 Manager with access to the Tracker system. For example, your organization will rely upon a third-party remote representative to inspect the original I-9 document.

Option 1: Leverage Tracker I-9's Remote Section 2 Amendment Functionality

Summary: Identify a remote third party to complete a Remote Section 2 Amendment. The third party and employee will need to coordinate a face-to-face meeting to complete the in-person physical document inspection review.

Detailed Steps:

1. Ensure the Remote Section 2 Amendment workflow is enabled in your Client configuration settings.
2. Identify a remote third party who will serve as the Authorized Representative to update Section 2 using Tracker Remote Section 2 Amendment workflow. You only need the individual's email address to get started.
3. Help coordinate a meeting between the employee and the remote third-party Authorized Representative. The employee and remote representative will meet in person. The purpose of this meeting is for the employee to present the physical document to the remote Authorized Representative, and for the Authorized Representative to document the inspection in the Tracker I-9 system.
4. Access the Form I-9 that requires the deferred document inspection. Click the menu option in the right corner of the Form I-9 page and select the **Remote Section 2 Amendment** option.

The screenshot displays the Tracker I-9 system interface. At the top, it shows 'Employee Name: Kevin J Martin' and 'I-9 ID: 80969'. The 'I-9 Workflow' is set to 'New Form I-9'. Below this is a 'Progression' bar with four stages: 'Created/On 3/3/2021', 'Section 1 Completed 3/3/2021', 'Section 2 Completed 3/3/2021', and 'NONE'. The 'Section 2' tab is selected in the navigation menu. The main content area shows 'Section 2: Employer or Authorized Representative Review and Verification' with instructions and a photo match requirement. On the right, an 'Administrative Options' sidebar is open, listing 'MANAGE I-9' actions: 'View or Upload Attachments', 'Move I-9', 'Remote Section 1 Amendment', 'Remote Section 2 Amendment' (highlighted with an orange box), and 'Delete I-9'. Below the main content, there is a section for 'Employment Verification Documents' with a drop-down menu.

5. Enter the required information on the Form and click **Submit** to send an email to the Authorized Representative's email address requesting a change to Section 2 of the Form I-9. The instructions to the Authorized Representative are auto-populated with template text. **NOTE:** Be sure to update the instructions to describe what changes should be made.
 - a. If the individual completing the Remote Section 2 Amendment is the same person who virtually inspected the employee's documents, then consider adding the following instructions (per the guidelines described above)
 - i. Please meet with the employee and physically inspect their original Section 2 documents

- ii. Please verify they that the document information is correct. Make any necessary changes to the previously entered document information as necessary.
 - iii. Please update the "Additional Information" textbox with the following text:
 - 1. "COVID-19 Documents physically examined [DATE OF INSPECTION] [Your Initials]".
 - 2. For example, if you inspected the documents on March 1, 2021 and your name is Tina Thomas, enter "COVID-19 Documents physically examined March 1, 2021 TT"
- b. If the individual completing the Remote Section 2 Amendment **is NOT the same person** who virtually inspected the employee's documents, then consider adding the following instructions (per the guidelines described above)
- i. Please meet with the employee and physically inspect their original Section 2 documents
 - ii. Please verify they that the document information is correct. Make any necessary changes to the previously entered document information as necessary.
 - iii. Please update the "Additional Information" textbox with the following text:
 - 1. "COVID-19 Documents physically examined [DATE OF INSPECTION] by Authorized Representative [Your First Name and Last Name]".
 - 2. For example, if you inspected the documents on March 1, 2021 and your name is Tina Thomas, enter "COVID-19 Documents physically examined March 1, 2021 by Tina Thomas"

Request Remote Section 2 Amendment

Enter the required information and click Continue to send an email requesting a change to the Form I-9. Be sure to provide instructions describing what changes should be made.

Employer Representative Email Address: * email@email.com

Instructions: ⓘ Characters Left: 1644

We identified a change that is needed in Section 2 of this Form I-9 to ensure the form is completed properly and has the most accurate information. Please take the following actions:

Please meet with the employee and physically inspect their original Section 2 documents and verify they that the document information is correct. Make any necessary changes to the previously entered document information as necessary.

Please update the "Additional Information" textbox with the following text: "COVID-19 Documents physically examined [DATE OF INSPECTION] [Your Initials]". For example, if you inspected the documents on March 1, 2021 and your name is Tina Thomas, enter "COVID-19 Documents physically examined March 1, 2021 TT"

Once you have completed these changes, please click the Save button and complete the Electronic Amendment form. Thank you.

Cancel Submit

- 6. The Authorized Representative receives a Remote Section 2 Amendment request email with instructions for accessing Section 2 of the Form I-9.

- The Remote Section 2 Amendment landing page provides an overview of amendment process, with an option for the Authorized Representative to accept or decline the request.

Request to Amend Section 2: Verify Employee's Identity and Work Authorization I-9 Instructions: [English](#) | [Español](#)

U.S. Citizenship and Immigration Services (USCIS) requires ACME Incorporated to verify the eligibility of its employees to work in the United States by completing the Form I-9. ACME Incorporated is requesting that you act as an Authorized Employer Representative to amend Section 2 of the Form I-9 for the employee named below.

Please review this request and make one of the following selections:

Click the Accept button and agree to act as an Authorized Representative of ACME Incorporated to amend Section 2 of the Form I-9. By clicking Accept, you agree to:

- Meet with the employee IN PERSON and review the employee's ORIGINAL document(s), if you have not done so already. [Click here to view the List of Acceptable Documents](#)
- Review the ORIGINAL Section 2 documents presented by the employee. If the documents reasonably appear to be genuine and relate to the employee, record the document information and all other required fields. (Perform this step only if you have not done so previously).
- Update and amend Section 2 of Form I-9 with the correct information.
- Electronically sign Section 2 of the Form I-9.

Or, click the Decline button if you do not agree to act as an Authorized Representative.

Employer Information		Employee Information		
Employer Name	First Name	Middle Initial	Last Name	
ACME Incorporated	Kevin	J	Martin	

Accept
 & Begin Completing Section 2

Decline
 & Send Notification to Employer

Have a question or need to contact us? Call 555-555-5555 or Email us at help@hremail.com.

WARNING: Unauthorized access, use, or modification of this system or of data contained herein, or in transit to/from this system, may constitute a violation of section 1030 of title 18 of the U.S. Code and other criminal laws.

When the Authorized Representative declines the request, the amendment process ends and the Section 2 Amendment task status changes to Declined. The system also sends an email based upon the Remote Access Declined email alert configuration settings (when enabled)

- When the Authorized Represents accepts the request, the system displays the Remote Section 2 Amendment page. The instructions included in the **Request Remote Section 2 Amendment** form will display at the top of the Section 2 page.
- The Authorized Representative clicks **Save**, enters their name, completes the attestation which concludes the Remote Section 2 process.
- The Tracker I-9 system updates Section 2, the Electronic Audit Trail, and PDF Form I-9 signing history.

Important Note: Leveraging the Remote Section 2 Amendment Feature is our recommended approach for completing the deferred physical document inspection for Section 2. Consider using Options 2, 3 and 4 as workarounds only if the Remote Section 2 Amendment feature is not an option for your organization, or for remote Section 3 physical document inspection. Please contact your Tracker Support or Implementation specialist if you have any questions.

Option 2: Screenshot Option

Summary: Meet with the employee and notary to document the physical document inspection in the Section 2 Additional Information field using a screensharing tool

Detailed Steps:

1. Coordinate a meeting between the employee, remote third-party Authorized Representative (e.g., notary), and the Tracker I-9 user with access to the employee's I-9 in Tracker. The employee and remote representative will meet in person. The Tracker I-9 user will attend the meeting remotely. The purpose of this meeting is for the employee to present the physical document to the remote representative, and for the Tracker I-9 user to document the inspection in the Tracker I-9 system.
2. For the purposes of facilitating the Tracker I-9 user's remote attendance, use a video conferencing tool that supports screensharing and, ideally, also supports the ability to pass control of the mouse/keyboard to an attendee (like [Zoom](#), or [GoTo Meeting](#)). Ideally, the remote representative or employee should have access to a computer or tablet that:
 - a. Can connect to the internet when the employee and representative meet
 - b. Has the same video conferencing tool pre-installed
3. During the meeting:
 - a. The Tracker I-9 user should log into Tracker and navigate to the employee's I-9
 - b. The employee presents the physical documents to the remote representative
 - c. The remote representative determines that the documents qualify for I-9 purposes, appear to be genuine, and relate to the employee presenting them
 - d. Update the Section 2 (or Section 3) of the I-9 in Tracker
 - i. If the video conferencing tool supports the ability to pass keyboard and mouse control, and the remote representative or employee has a computer or tablet that can connect to the video conferencing session, pass the keyboard and mouse control to the remote representative and ask them to update the Section 2 Additional Information textbox with "physically inspected by [First Name] [Last Name], [Title], on [Date of Inspection]". Tracker recommends using "Authorized Representative" as the "Title" value, but "Notary", "Remote Representative", or any other reasonable description should be fine.
 - ii. If the video conferencing tool does not support the ability to pass the keyboard and mouse control, the Tracker I-9 user should update the Section 2 Additional Information textbox with "physically inspected by [Remote Representative First Name] [Remote Representative Last Name], [Title], on [Date of Inspection]. Section 2 Additional Information updated by [Tracker I-9 User First Name] [Tracker I-9 User Last Name] on [Current Date]".
 - iii. Make any additional changes to Section 2 as needed (e.g., the Document Number was miss entered). If the employee presents different documents, click the "Reselect from list" button and enter the new document information.
 - iv. When all updates are completed, click the Save/Validate button in the Tracker UI and complete the Electronic I-9 Amendment Form.

Option 3: Paper I-9 Option

Summary: capture the physical inspection information on a paper Form I-9. Forward the I-9 to a Tracker I-9 user with access to the employee's I-9 in Tracker, and then update the I-9.

Detailed Step:

1. The employee and remote third-party Authorized Representative (e.g., notary) coordinate a meeting where the employee and remote representative will meet in person. The purpose of this meeting is

for the employee to present the physical document to the remote representative, and for the remote representative to record the physical document inspection on an electronic I-9 PDF, or a printed I-9 Form.

2. During the meeting:
 - a. The employee presents the physical documents to the remote representative
 - b. The remote representative determines that the documents qualify for I-9 purposes, appear to be genuine, and relate to the employee presenting them
 - c. The remote representative uses the current version of the Form I-9 to record the document information that was physically inspected
 - i. RECOMMENDED: If the remote representative will have access to a computer or tablet during the meeting, encourage the representative to access the USCIS I-9 “smart” form [here](#). When completing this electronic I-9 PDF, the remote representative only needs to complete Section 2. TWO IMPORTANT NOTES about the “smart” form:
 1. To complete Section 2 correctly, the remote representative must indicate the employee’s “Citizenship/Immigration Status” in the field below by selecting 1, 2, 3 or 4 from the dropdown. Here are the definitions for which number to select:
 - 1 = US Citizen
 - 2 = Non-citizen National
 - 3 = Lawful Permanent Resident
 - 4 = Alien Authorized to Work

1 Employee	Last Name (Family Name) Employee	First Name (Given Name) Happy	M.I. N/A	Citizenship/Immigration Status
	OR	List B Identity	AND	1 2 3 4
	Authorization	Document Title	Document Title	

2. Once Section 2 is completed, the remote representative must click the “Print” button. Once the button is clicked, the “smart” form will likely display error message because Section 1 is not completed. In this scenario, the Section 1 errors are acceptable. However, any Section 2 errors should be analyzed and resolved. Once all Section 2 errors are resolved, then the remote representative should Print the Form I-9 and sign Section 2 with a wet signature.

Instructions Start Over **Print**
Employment Eligibility Verification
 Department of Homeland Security
 U.S. Citizenship and Immigration Services

- ii. If using the “smart” Form I-9 is not a good option, then the remote representative should print a copy of the current version of the Form I-9 ([here](#)), complete Section 2 only, including adding a wet signature to Section 2. NOTE: this paper option is not recommended, since paper Form I-9 processes are prone to errors because there are no guardrails to prevent common mistakes.
- iii. Whether the remote representative completes the “smart” Form I-9, or a paper Form I-9, the Section 2 Additional Information textbox should be populated with “COVID-19 physically inspected by [First Name] [Last Name], [Title], on [Date of

Inspection]”. Tracker recommends using “Authorized Representative” as the “Title” value, but “Notary”, “Remote Representative”, or any other reasonable description should be fine.

3. After the steps above are complete and the meeting is over, the employee or remote representative needs to send the Form I-9 with wet signature to the Tracker I-9 user who will update the electronic I-9 in Tracker. RECOMMENDATION: be sure to send the Form I-9 securely since Section 2 captures employee personally identifiable information. Using dropbox, Google Drive, or any other secure file sharing solution is recommended. Alternately, if the Form I-9 file is encrypted, it can be sent via email, just be sure to send the encryption password in a separately.
4. Once the Tracker I-9 user receives the Form I-9 file:
 - a. Inspect the Form I-9 to make sure it looks correct
 - b. Navigate to the employee’s I-9 in Tracker
 - c. Update the Section 2 Additional Information textbox with “physically inspected by [Remote Representative First Name] [Remote Representative Last Name], [Title], on [Date of Inspection]. Section 2 Additional Information updated by [Tracker I-9 User First Name] [Tracker I-9 User Last Name] on [Current Date]”.
 - d. Make any additional changes to Section 2 as needed (e.g., the Document Number was miss entered). If the employee presents different documents, click the “Reselect from list” button and enter the new document information.
 - e. When all updates are completed, click the Save/Validate button in the Tracker UI and complete the Electronic I-9 Amendment Form.
 - f. Upload a copy of the Form I-9 that was completed by the remote representative to the electronic I-9 Record in Tracker.
 - g. Navigate to the Summary Tab and add a Custom Audit Note indicating that the physical document inspection process was completed on paper, the electronic I-9 record was updated accordingly, and a copy of the Form I-9 that was used to compete the physical document inspection is attached to the electronic I-9 record.

Option 4: Re I-9 Option

Summary: If none of the option above are feasible, create a new I-9. There are two options for how to redo the I-9 in Tracker: 1) save a copy of the original I-9 and assets, delete the original I-9, and then create the new I-9; or, 2) mark the original I-9 as “terminated”, and then create the new I-9.

Delete and Create Detailed Steps:

1. Navigate to the employee’s I-9 in Tracker
 - a. Click the Summary Tab, then save a copy of the following assets
 - i. The latest I-9 PDF in the Audit History
 - ii. The Electronic I-9 Audit Trail
 - iii. Any attachments saved under the View/Upload Attachments feature
 - b. Click on the Section 2 tab
 - i. Save a copy of any image files saved to the List A, or List B/C Attachment fields
 - c. Click on the E-Verify Tab (ONLY IF AN E-VERIFY CASE EXISTS)
 - i. Save a copy of any E-Verify Case Histories
 - ii. Save a copy of any E-Verify Attachments
 - d. Be sure to complete the steps above before proceeding to the next step.
2. Click the Delete I-9 button, and select Yes on the confirmation alerts. This will permanently delete the I-9 from the Tracker system, so please don’t take this step until you are ready.

3. Click the Save/Create New I-9 button in Tracker (If this feature is disabled, consider changing the user's security role so the feature is enabled) and select the most appropriate I-9 workflow. For remote I-9 processing, consider the "Create Remote Access Form I-9 – Section 1 & Section 2" or "Create Remote Access Employee Appoint".
 - a. The Create Remote Access Form I-9 – Section 1 & Section 2 requires the Tracker I-9 user to enter the information above the remote representative
 - b. The Create Remote Access Employee Appoint lets the employee enter the information about the remote representative.
4. If the original I-9 went through E-Verify, navigate to the Summary Tab, find the "E-Verify Option" module, and select the "Off" option. This will prevent the new I-9 from going through E-Verify.
5. Once the new I-9 is completed:
 - a. Upload all of the I-9 assets that were saved in steps 1a, 1b and 1c
 - b. Navigate to the Summary Tab and add a Custom Audit Note indicating that the physical document inspection process was completed by completing a new I-9, the previous electronic I-9 record assets are attached to the new electronic I-9 record.

Mark as Terminated Detailed Steps:

NOTE: this workaround requires the user to flag the I-9 as "Terminated" – even though employment is still active - to preserve the original I-9 and allow the user to create a new I-9. If you are not comfortable with requirement, consider using one of the other options described above.

1. Navigate to the employee's I-9 in Tracker
 - a. Click the Summary Tab
 - b. Select the "Employee is Terminated" checkbox
 - c. IMPORTANT: Leave the "Term Date" field empty. This will set the Next Action to "Purge" but without a Purge eligibility date. Do not enter a Term Date until employment ends.
2. Click the Save/Create New I-9 button in Tracker (If this feature is disabled, consider changing the user's security role so the feature is enabled) and select the most appropriate I-9 workflow. For remote I-9 processing, consider the "Create Remote Access Form I-9 – Section 1 & Section 2" or "Create Remote Access Employee Appoint".
 - a. The Create Remote Access Form I-9 – Section 1 & Section 2 requires the Tracker I-9 user to enter the information above the remote representative
 - b. The Create Remote Access Employee Appoint lets the employee enter the information about the remote representative.
3. If the original I-9 went through E-Verify, navigate to the Summary Tab, find the "E-Verify Option" module, and select the "Off" option. This will prevent the new I-9 from going through E-Verify.
4. Once the new I-9 is completed:
 - a. Navigate to the Summary Tab and add a Custom Audit Note indicating that the physical document inspection process was completed by completing a new I-9, the previous electronic I-9 record assets are attached to the new electronic I-9 record.
 - b. When the employee's employment ends, update both the original I-9, and the new I-9, with the Term Date.

[Tracking Completed/Incomplete In-Person Inspection](#)

Using the COVID-19 Custom Report described above, you can now track which I-9s require in-person document inspection, and which I-9s are fully complete.

Employee Name	Employee Profile Works...	Created On	Start Date	Next Action	Additional Information
DREW, Nancy	ACME Headquarters	03/27/2020	03/28/2020	Required	COVID-19 documents physically examined 4/1/2020
EMPLOYEE, Happy	West Coast Office (EV OFF)	03/23/2020	08/31/2020	E-Verify Action Required	COVID-19 EXT
EMPLOYEE, Happy	ACME Headquarters	12/01/2020	12/01/2020	E-Verify Action Required	COVID-19 EXT
FADER, Oliver	ACME Headquarters	09/17/2020	01/01/2000	NONE	
FANCHER, Brian	ACME Headquarters	07/01/2020	07/29/2020	NONE	
FANCHER, brian	ACME Headquarters	09/08/2020	09/30/2020	NONE	
FANCHER, Brian	West Coast Office (EV OFF)	12/02/2020	12/30/2020	NONE	
FANCHER, Brian K	West Coast Office (EV OFF)	03/24/2020	03/23/2020	Complete E-Verify	
FLOWERS, Ingrid	West Coast Office (EV OFF)	04/08/2020	04/29/2020	Reverification Due	
FORD, Henry	West Coast Office (EV OFF)	07/02/2020	01/04/2021	Complete E-Verify	COVID-19 EXT
GALAGAR, Hillary	West Coast Office (EV OFF)	05/26/2020	06/30/2020	Appoint Section 2 Representative	
GOODELL, Elaine	ACME Headquarters	06/10/2020	06/24/2020	NONE	
HOROWITZ, Lisa	ACME Headquarters	01/04/2021	01/28/2021	E-Verify Action Required	COVID-19 EXT
HUGHES, Matt	ACME Headquarters	06/18/2020	06/01/2020	Review	

TIP: To be successful, employers should be diligent about entering and updating the text in the Additional Information text box. Failure to do so will make it extremely difficult identifying these I-9s and the required follow-up, in-person inspection.

List B Document Expiration Date Rule Changes

On March 19, 2022, the Department of Homeland Security (DHS) announced the end of the COVID-19 Temporary Policy for accepting expired List B Identity Documents. Starting on May 1, 2022, employers must only accept unexpired List B documents.

With this announcement, the two most important takeaways are:

1. Until April 30, 2022 the Tracker I-9 system will support the ability to record an expired List B Document through a series of checkpoints and confirmations alerts. **This feature will be disabled on May 1 at midnight (ET).**
2. **Employers who accepted an expired List B Document may need to update the Form I-9 no later than July 31, 2022.**

Please continue reading for more details, which recap the temporary Expired List B policy and what to plan for going forward.

IMPORTANT NOTE: The announcement **does not mention the temporary Remote Document Inspection policy** scheduled to end on April 30, 2022. If the Remote Document Inspection policy is not extended before the current end date, both rules (Remote Inspection & Expired List B Documents) will expire on the same day. Mitrtech will continue to monitor DHS communications and provide any newsworthy developments as we learn about them.

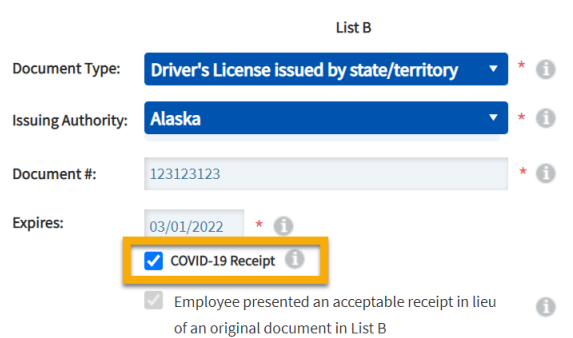
DHS Ends COVID-19 Temporary Policy for Expired List B Identity Documents

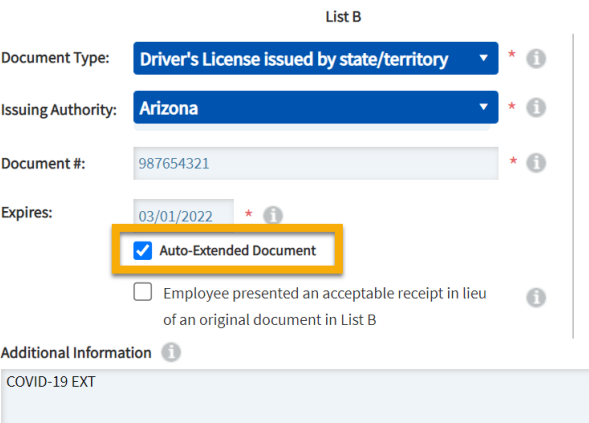
Summary

DHS is ending the COVID-19 Temporary Policy for List B Identity Documents. **Beginning May 1, employers will no longer be able to accept expired List B documents.**

DHS adopted the temporary policy in response to the difficulties many individuals experienced with renewing documents during the COVID-19 pandemic. Now that document-issuing authorities have reopened and/or provided alternatives to in-person renewals, DHS will end this flexibility. Starting May 1, 2022 employers must only accept **unexpired** List B documents.

If an employee presented an expired List B document between May 1, 2020, and April 30, 2022, employers are required to update their Forms I-9 by July 31, 2022. See table below for update requirements.

If the employee’s Form I-9 was completed between May 1, 2020 and April 30, 2022 with an expired List B document and that document expired on or after March 1, 2020, and the employee:		Then:
Scenario 1	<p>Is still employed.</p> <p><i>In Tracker I-9, records appear as shown below with the List B “COVID-19 Receipt” checkbox checked</i></p> 	<p>Action Required</p> <ul style="list-style-type: none"> • Contact employee and ask them to provide an unexpired document that establishes identity. • Employees may present <ul style="list-style-type: none"> ○ The renewed List B document, ○ A different List B document, or ○ A document from List A • Follow the instructions described below to update Section 2 of the Form I-9

Scenario 2	<p>Is no longer employed.</p> <p><i>In Tracker I-9, records with a Termination Date have a Next Action of Purge.</i></p>	No Action Required
Scenario 3	<p>The List B document was auto extended by the issuing authority, so it was unexpired when presented.</p> <p><i>In Tracker I-9, records appear as shown below with the List B “Auto-Extended Document” checkbox checked</i></p> 	No Action Required because the document was unexpired

UPDATED COVID-19 Receipt Reverification Next Action Logic

I-9s in the Tracker I-9 that meet the criteria for Scenario 1 above currently have the Next Action of **Receipt Reverification Due** with a Next Action Due Date of **“Date TBD”**.



On May 1, the Tracker I-9 system’s COVID 19 Receipt Reverification Due Date logic will be updated for all affected I-9s (Scenario 1) to have a Next Action Due Date of **July 31, 2022** in accordance with the updated DHS requirement. All Next Action Chevrons, Reports, and Email Alerts will be updated to track the new due date.

Records that meet the criteria for Scenarios 2 and 3 will not be impacted by these changes.

Important Note about Email Alerts: Upon updating the Next Action Due Date, the Tracker I-9 system may send a high volume of email alerts if your Tracker account is configured to send email alerts to the employee and/or I-9 Manager for I-9 Records with the Next Action of Receipt Reverification Due.

Updating Document Information in Section 2

For Scenario 1, employers must contact the employee, arrange for them to provide a new Section 2 document, inspect the document before July 31, 2022 and update the Form I-9 by following the instructions described below. Per USCIS guidelines, it is best if the employee can present the replacement of the actual document that was expired, but if necessary, the employee may choose to present a different List A or List B document or documents.

For remote employees who are not able to travel on-site to complete this process, consider using the Remote Section 2 Amendment feature. See the [Remote Section 2 Amendment Option for Remote Employee Receipt Reverification](#) section below for more details.

Scenarios 2 and 3 do not require action.

Scenario 1: Employee Presents Renewed List B Document

If the employee presents the renewed List B Document that was expired when originally presented, then take the following steps:

1. Navigate to Section 2
2. Uncheck the COVID-19 Receipt checkbox

The screenshot shows a form titled "List B" with the following fields and options:

- Document Type:** A dropdown menu set to "Driver's License issued by state/territory".
- Issuing Authority:** A dropdown menu set to "Alaska".
- Document #:** A text input field containing "123123123".
- Expires:** A date input field set to "03/01/2022".
- COVID-19 Receipt:** A checkbox that is checked and highlighted with a yellow box.
- Employee presented an acceptable receipt in lieu of an original document in List B:** A checkbox that is also checked.

3. Update Section 2 with any new document information, such as the new expiration date

List B

Document Type: **Driver's License issued by state/territory** * i

Issuing Authority: **Alaska** * i

Document #: 123123121 * i

Expires: 03/01/2029 * i

Not Applicable (N/A)

4. Enter **“COVID 19 Expired List B Document Reverified [CURRENT DATE]. See audit trail for more details”** in the Additional Information text box

List B

Document Type: **Driver's License issued by state/territory** * i

Issuing Authority: **Alaska** * i

Document #: 123123121 * i

Expires: 03/01/2029 * i

Not Applicable (N/A)

Employee presented an acceptable receipt in lieu of an original document in List B * i

Additional Information i

COVID 19 Expired List B Document Reverified 3/31/2022. See audit trail for more details

5. Upload any images of the renewed List B Document (if it's your organization's policy to retain images of all employee Form I-9 documentation)
6. Click the Save/Validation button and complete the Section 2 Electronic Amendment form to complete the process

Electronic Amendment - Employer Representative

Select the box next to "I Agree" to acknowledge that you are amending a U.S. Government Form I-9 and that to the best of your knowledge the employee is authorized to work in the United States.

Employer Representative Name

I Agree

Select the box next to "I Agree" to acknowledge that you have assisted with the completion of this form and to the best of your knowledge the information is true and correct.

By clicking Save & Acknowledge Updates, I acknowledge that I am updating a value of this electronic Form I - 9 record.

Cancel **Save & Acknowledge Updates**

Scenario 2: Employee Presents NEW List A Document

If the employee presents a NEW List A Document, then take the following steps:

1. Navigate to Section 2
2. Select the "Reset" button

3. Click the List A Document dropdown and select the NEW List A Document in the document selector
4. Enter the List A document data
5. Enter “**COVID 19 Expired List B Document Reverified [CURRENT DATE]. See audit trail for more details**” in the Additional Information text box
6. Upload images of List A Document (if it’s your organization’s policy to retain images of all employee Form I-9 documentation)
7. Click the Save/Validation button and complete the Section 2 Electronic Amendment form to complete the process

Scenario 3: Employee Presents DIFFERENT List B Document

If the employee presents a DIFFERENT List B Document than the document originally presented, then:

1. Navigate to Section 2
2. **IMPORTANT: Record the List C Document data (you must reenter it later)**
3. Select the List B Document Type dropdown (Do NOT select the Reset button)



Employment Verification Documents

(The Employee Must Present One Document from List A OR one document from List B and List C)

Use the drop-down menu to select a document from List A or one from List B and C. Then, enter the respective document number(s) and expiration date(s). Click the (i) button for more information about a specific document.

Reset

	List B	List C
Document Type:	Driver's License issued by state/territory *	Consular Report of Birth Abroad (FS - 240) *
Issuing Authority:	Alabama *	U.S. Department of State *
Document #:	123123123 *	123123123 *
Expires:	03/01/2022 * <input checked="" type="checkbox"/> COVID-19 Receipt	
Attachment	Puppers.JPG View or Upload File <input checked="" type="checkbox"/> Employee presented an acceptable receipt in lieu of an original document in List B	Puppers.JPG View or Upload File <input type="checkbox"/> Employee presented an acceptable receipt in lieu of an original document in List C
Additional Information	COVID-19	

- Select the NEW List B Document and original List C Document in the document selector
- Enter both the New List B and List C document data (NOTE, unfortunately, the List C Document data must be reentered because selecting different document types was not designed to preserve existing document data)
- Enter **“COVID 19 Expired List B Document Reverified [CURRENT DATE]. See audit trail for more details”** in the Additional Information text box
- Upload images of the List B (if it's your organization's policy to retain images of all employee Form I-9 documentation)
- Click the Save/Validation button and complete the Section 2 Electronic Amendment form to complete the process.

Updating Document Information in Section 2 for a Historical I-9

If the employee's I-9 was created in the Tracker system as a Historical I-9, then take the following steps regardless of what document the employee presents (same List B, new List A, or different List B).

- Navigate to Section 2
- Enter the following information in the Section 2 Additional Information textbox
 - The Document Title
 - The Document Issuing Authority

- c. The Document Number
- d. The Document Expiration Date
- e. Initial and date the changes

Additional Information

COVID-19

Driver's License
Issuing Authority - Alaska
Number - 123123123
Expiration Date - 09/22/2016
MM 03/24/2022

Cancel/Revert Signature of Employer or Authorized Save/Acknowledge

Employee's first day of

3. Click the Save/Acknowledge button and complete the Section 2 Electronic Amendment form to complete the process

Electronic Amendment - Employer Representative ✕

Select the box next to "I Agree" to acknowledge that you are amending a U.S. Government Form I-9 and that to the best of your knowledge the employee is authorized to work in the United States.

Employer Representative Name

I Agree

Select the box next to "I Agree" to acknowledge that you have assisted with the completion of this form and to the best of your knowledge the information is true and correct.

By clicking Save & Acknowledge Updates, I acknowledge that I am updating a value of this electronic Form I-9 record.

NOTE: The USCIS instructions for updating Section 2 are slightly different than the instructions above because USCIS assumes the employer completes the Form I-9 on paper. The instructions are tailored to

the electronic Tracker I-9 solution's validation logic and Electronic I-9 Audit Trail requirements to ensure compliance.

Remote Section 2 Amendment Option for Remote Employee Receipt Reverification

For remote employees who are not able to travel on-site to complete the Receipt Reverification process, consider using the Remote Section 2 Amendment feature.

Summary: Identify a remote third party to complete a Remote Section 2 Amendment. The third party and employee will need to coordinate a face-to-face meeting to complete the in-person physical document inspection review.

Detailed Steps:

1. Ensure the Remote Section 2 Amendment workflow is enabled in your Client configuration settings.
2. Identify a remote third party who will serve as the Authorized Representative to update Section 2 using Tracker Remote Section 2 Amendment workflow. You only need the individual's email address to get started.
3. Help coordinate a meeting between the employee and the remote third-party Authorized Representative. The employee and remote representative will meet in person. The purpose of this meeting is for the employee to present the physical document to the remote Authorized Representative, and for the Authorized Representative to document the inspection in the Tracker I-9 system.
4. Access the Form I-9 that requires the deferred document inspection. Click the menu option in the right corner of the Form I-9 page and select the Remote Section 2 Amendment option.

The screenshot displays the Tracker I-9 system interface for a specific form. At the top, it shows the Employee Name as Kevin J Martin and the I-9 ID as 80969. The I-9 Workflow is set to 'New Form I-9'. Below this is a 'Progression' bar with four stages: 'Created/On 3/3/2021', 'Section 1 Completed 3/3/2021', 'Section 2 Completed 3/3/2021', and 'NONE'. The 'Section 2' tab is selected in the navigation menu. The main content area shows 'Section 2: Employer or Authorized Representative Review and Verification' with instructions and a requirement to verify photo match. On the right side, there is an 'Administrative Options' panel with a close button (X). The panel includes options like 'MANAGE I-9', 'View or Upload Attachments', 'Move I-9', 'Remote Section 1 Amendment', 'Remote Section 2 Amendment' (highlighted with an orange box), and 'Delete I-9'.

5. Enter the required information on the Form and click Submit to send an email to the Authorized Representative's email address requesting a change to Section 2 of the Form I-9. The instructions to the Authorized Representative are auto-populated with template text. NOTE: Be sure to update the instructions to describe what changes should be made. Here is language that you can consider using. Please tailor these instructions to align with your business policies and practices.

We identified a change that is needed in Section 2 of this Form I-9 to ensure the form is completed properly and has the most accurate information.

This employee's expired identification document was accepted due to a temporary COVID-19 rule. Now that the rule is expiring, the employee must present an unexpired document.

Please ask the employee to present their renewed List B Document. Alternatively, the employee can present a different List B Document or a List A Document. It's their choice. If the employee presents a different List B Document or List A Document, please contact us for further assistance at [PHONE NUMBER].

If the employee presents their renewed List B Document, please take the following actions.


1. Uncheck the COVID-19 Receipt checkbox
2. Update Section 2 with any new document information, such as the new expiration date
3. Enter "COVID 19 Expired List B Document Reverified [CURRENT DATE]. See audit trail for more details" in the Additional Information text box
4. Upload any images of the renewed List B Document [Delete if this conflicts with your organization's document retention policy]

Once you have completed these changes, please click the Save button and complete the Electronic Amendment form. Thank you.

Request Remote Section 2 Amendment

Enter the required information and click Continue to send an email requesting a change to the Form I-9. Be sure to provide instructions describing what changes should be made.

Employer Representative Email Address: *

Instructions: 

Characters Left:1247

We identified a change that is needed in Section 2 of this Form I-9 to ensure the form is completed properly and has the most accurate information.

This employee's expired identification document was accepted due to a temporary COVID-19 rule. Now the the rule is expiring, the employee must present an unexpired document.

Please ask the employee to present their renewed List B Document. Alternatively, the employee can present a different List B Document or a List A Document. It's their choice. If the employee presents a different List B Document or List A Document, please contact us for further assistance at [PHONE NUMBER].

If the employee presents their renewed List B Document, please take the following actions.

Uncheck the COVID-19 Receipt checkbox

Update Section 2 with any new document information, such as the new expiration date

Cancel

Submit

6. The Authorized Representative receives a Remote Section 2 Amendment request email with instructions for accessing Section 2 of the Form I-9.
7. The Remote Section 2 Amendment landing page provides an overview of amendment process, with an option for the Authorized Representative to accept or decline the request.





Request to Amend Section 2: Verify Employee's Identity and Work Authorization

I-9 Instructions: [English](#) | [Español](#)

U.S. Citizenship and Immigration Services (USCIS) requires ACME Incorporated to verify the eligibility of its employees to work in the United States by completing the Form I-9. ACME Incorporated is requesting that you act as an Authorized Employer Representative to amend Section 2 of the Form I-9 for the employee named below.

Please review this request and make one of the following selections:

Click the Accept button and agree to act as an Authorized Representative of ACME Incorporated to amend Section 2 of the Form I-9. By clicking Accept, you agree to:

-  Meet with the employee IN PERSON and review the employee's ORIGINAL document(s), if you have not done so already. [Click here to view the List of Acceptable Documents](#)
-  Review the ORIGINAL Section 2 documents presented by the employee. If the documents reasonably appear to be genuine and relate to the employee, record the document information and all other required fields. (Perform this step only if you have not done so previously).
-  Update and amend Section 2 of Form I-9 with the correct information.
-  Electronically sign Section 2 of the Form I-9.

Or, click the Decline button if you do not agree to act as an Authorized Representative.

Employer Information

Employer Name

ACME Incorporated

Employee Information

First Name

Kevin

Middle Initial

J

Last Name

Martin

Accept

& Begin Completing Section 2

Decline

& Send Notification to Employer

Have a question or need to contact us? Call 555-555-5555 or Email us at help@hremail.com.

WARNING: Unauthorized access, use, or modification of this system or of data contained herein, or in transit to/from this system, may constitute a violation of section 1030 of title 18 of the U.S. Code and other criminal laws.

When the Authorized Representative declines the request, the amendment process ends and the Section 2 Amendment task status changes to Declined. The system also sends an email based upon the Remote Access Declined email alert configuration settings (when enabled)

8. When the Authorized Represents accepts the request, the system displays the Remote Section 2 Amendment page. The instructions included in the Request Remote Section 2 Amendment form will display at the top of the Section 2 page.
9. The Authorized Representative clicks Save, enters their name, completes the attestation which concludes the Remote Section 2 process.
10. The Tracker I-9 system updates Section 2, the Electronic Audit Trail, and PDF Form I-9 signing history.

E-Verify Considerations

E-Verify Case Submission

After completing the receipt reverification process is the Tracker I-9 Next Action status will promote to “Complete E-Verify” for all I-9s subject to E-Verify. Be sure to submit these I-9s to E-Verify as soon as possible.

E-Verify Reason for Delay

If prompted to provide a reason why the E-Verify case submission is delayed, select the Other radio button and consider entering the following text (or something similar) “Delays Due to Expired List B Document Receipt Reverification”.

E-Verify Process Updates

On March 20, 2020, E-Verify announced that employees have more time to take action to resolve SSA TNCs due to SSA field office closures. E-Verify is also extending the timeframe to take action to resolve DHS TNCs in “limited circumstance when an employee cannot resolve a TNC due to public or private office closures.” Unfortunately, at this time (v1.0 of this guide), E-Verify has not specified length of the extension or how long employees have before they must take action to resolve their TNC.

E-Verify has confirmed that:

- Employers are still required to create a new E-Verify case for each new hire subject to E-Verify no later than the third business day after the employee works for pay.
- Employers may **not** take any adverse action against an employee because the E-Verify case is in an **interim case status**, including while the employee’s case is in an extended interim case status.
- This policy change does not impact the E-Verify workflow in Tracker. E-Verify is not introducing any change to the E-Verify process or its steps beyond extending the TNC referral/contest period. Additionally, due to a limitation with E-Verify’s API, Tracker does not display the TNC contest due date in the UI, the date only appears on the confirmation letter, which comes from the E-Verify system.

Finally, E-Verify also instituted the following new Temporary Policy:

- Employers must continue to use the hire date from the employee’s Form I-9 when creating the E-Verify case. If case creation is delayed due to COVID-19 precautions, select “Other” from the drop-down list and enter “COVID-19” as the specific reason.

You can read the full E-Verify announcement on the March 20, 2020 post on the What’s New section of the E-Verify website [here](#).

As mentioned above, E-Verify and USCIS policy may change at any moment, for better or worse, as the federal government continues to provide additional guidance and updates in this dynamic situation.

FAQ

Q: Can I continue to inspect I-9 documents remotely?

A: Yes, until August 19, 2020, unless ICE cancels or extends the remote I-9 document inspection policy.

Q: How long will the List B Document Expiration Date rule changes last?

A: We do not know yet. As of the time of this message USCIS has not indicated how long these rule changes will be in effect. We imagine this is because expiration date and stay-at-home orders are a moving target. Tracker will send out a Client Alert as soon as there is an update.

Q: Will Tracker I-9 display the Auto-Extended Document and COVID-19 Receipt workflows ALL List B Documents? What about List A and List C Documents?

A: The Auto-Extended Document and COVID-19 workflow described applies to all List B documents that have an expiration date. USCIS has indicated that this new rule does not apply to List A or List C documents. We will closely monitor the situation and send an update if USCIS expands this new rule change to include other document(s).

Q: Will the Auto-Extended Document or COVID-19 workflow appear in Section 3?

A: No, because List B documents are never required for Section 3. Only record List A or List C documents apply to Section 3.

Q: I completed a Section 2 with qualifying Auto-Extended document. Now what? Are there any required follow-up actions?

A: No. USCIS instructions do not require any follow-up actions for these scenarios.

Q: I completed a Section 2 with qualifying COVID-19 Receipt document. Now what? Are there any required follow-up actions?

A: Yes. There is nothing for you to do until USCIS terminates the temporary COVID-19 policies. Once USCIS terminates the temporary COVID-19 policies, Tracker will update the Next Action Due Date for all COVID-19 Receipt records. The employee must present an original document within 90 calendar days from when USCIS terminates the COVID-19 policies.

Per USCIS guidelines, it is best if the employee can present the replacement of the actual document that was expired, but if necessary, the employee may choose to present a different List A or List B document or documents and record the new document information in the Additional Information Field.

When the employee presents their original unexpired document, navigate to employee’s Form I-9 and:

- Uncheck the COVID-19 Receipt checkbox
- Update Section 2 with any new document information, such as the new expiration date
- Complete the Section 2 Electronic Amendment form

Change Log

Date	Version Number	Summary of Changes
3/23/2020	1.0	(N/A – Initial Publication)
5/21/2020	2.0	<ul style="list-style-type: none">• Updated remote document inspection policy duration section per https://www.ice.gov/news/releases/ice-announces-extension-flexibility-rules-related-form-i-9-compliance• Updated Remote Document Extension section to include interpretation of “normal operations resume”• Added List B Document Expiration Date Rule Change Section• Added FAQ

7/17/2020	2.2	<ul style="list-style-type: none"> Update the Remote Document Inspection Section to clarify that Tracker understands this option is no longer available effective 7/19/2020 Added description of the Employee Appoint Workflow Updated the In-Person Physical Document Review follow up process to clarify the Additional Information annotation instructions per updated USCIS guidance Updated the FAQ
7/20/2020	2.3	<ul style="list-style-type: none"> Update the Remote Document Inspection to clarify that DHS extended the remote document inspection policy until August 19, 2020 Reorganized the set of DHS announcements related to the Remote Document Inspection policy Updated the FAQ
8/2/2020	2.4	<ul style="list-style-type: none"> Updated the Remote Document Inspection section with workarounds for employers who plan to conduct deferred document inspection using remote Authorized Representatives who do not have Tracker user account (e.g., a notary, friend, or neighbor).
12/9/2020	2.5	<ul style="list-style-type: none"> Updated DHS extension history for the remote document inspection policy Changed all references to “Remote Section 1 & Section 2” to “Employer Appoint” in light of the label changes in the Tracker I-9 Application
03/05/2021	3.0	<ul style="list-style-type: none"> Updated the screenshots to reflect the new enhanced User Interface Updated the <i>Using a Third Party for Deferred Physical Document Inspections</i> section to include the new Remote Section 2 Amendment option.
12/17/2021	3.1	<ul style="list-style-type: none"> Updated DHS extension history for the remote document inspection policy
3/15/2022	3.2	<ul style="list-style-type: none"> Update the List B Expired Document/Auto Extension section to reflect that the temporary rule permitting expired List B documents ends May 1, 2022.
10/14/2022	3.3	<ul style="list-style-type: none"> Updated DHS extension history for the remote document inspection policy

Appendix A – Expired List B Document Guidelines

The content below describes how to record an expired List B Document in the Tracker I-9 system per the DHS Temporary Expired List B Document Policy. **As noted above, this temporary policy ended on April 30, 2022. Beginning May 1, Employers will no longer be able to accept expired List B documents.**

USCIS published updated COVID-19 guidelines for how to complete Section 2 of the Form I-9 when the employee’s List B document expired on or after March 1, 2020.

In early April 2020, Tracker sent out a notice and deployed a Hotfix that updated the Tracker I-9 application to support USCIS guidelines for how to complete the Form I-9 when US state or territory auto-extended the employee's state IDs and/or driver's licenses due to the impact of COVID-19. Now, USCIS has extended and modified their COVID-19 guidelines to cover more List B Document expiration date scenarios. The updated COVID-19 guidelines published in May make the following changes:

- **List B Document Auto-Extension:** Now, all List B documents that expired on or after March 1, 2020 can qualify for the auto-extension rule. Previously, only List B Driver's Licenses and State ID cards qualified.
- **List B Document COVID-19 Receipts:** Now, if a List B document expired on or after March 1, 2020, and the document was **not** auto-extended, employers must accept the expired List B document as a valid receipt. Once USCIS terminates this new temporary policy, the employee must present a valid unexpired document within 90 calendar days.

Continue reading to learn more, including our FAQ at the end of this message.

Qualifying List B Documents

the Tracker I-9 solution will temporarily allow a user to complete Section 2 with an expiration date in the past for any List B Document provided:

- The document expired on or after March 1, 2020
- The user confirms that the List B Document qualifies under the Auto-Extension or COVID-19 Receipt exceptions.

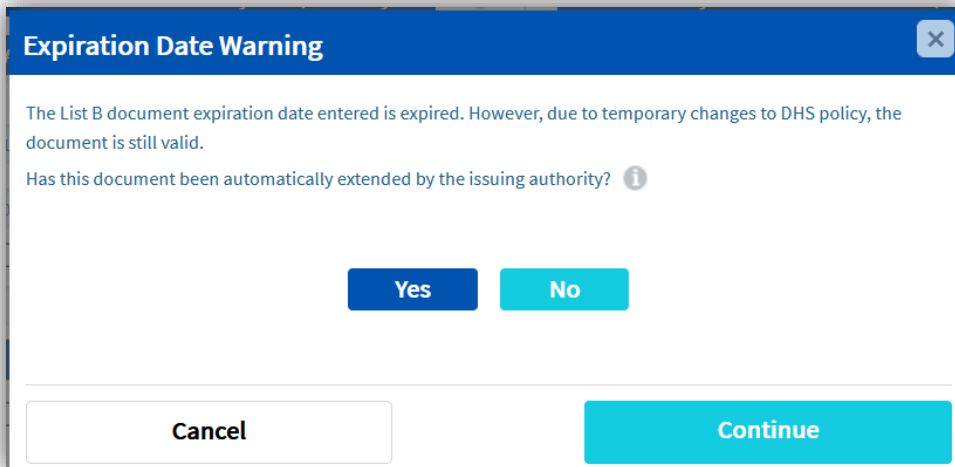
Expiration Date Warning Alert

When a user selects the Section 2 List B document and enters an expiration date in the past but not earlier than March 1, 2020, the system will display a NEW Expiration Date Warning.

The Expiration Date Warning alert informs the user that the List B document is valid based upon the updated rules. The alert instructs the user to confirm if the document has been automatically extended by selecting the **Yes** or **No** option.

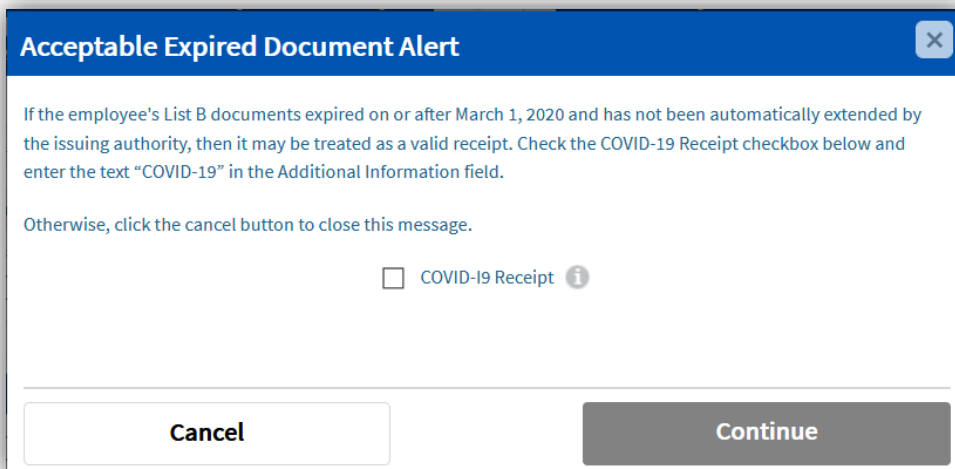
If the user clicks the **Cancel** button, Tracker I-9 will continue to enforce the rule that the List B expiration date cannot be expired.

If the user selects **No** and clicks **Continue**, the Tracker system displays the NEW Acceptable Expired Document Alert (see NEW Acceptable Expired Document Alert section below)



If the user selects **Yes** and clicks **Continue**, the Tracker system displays the Auto-Extended Document alert (see Existing Auto-Extended Document section below).

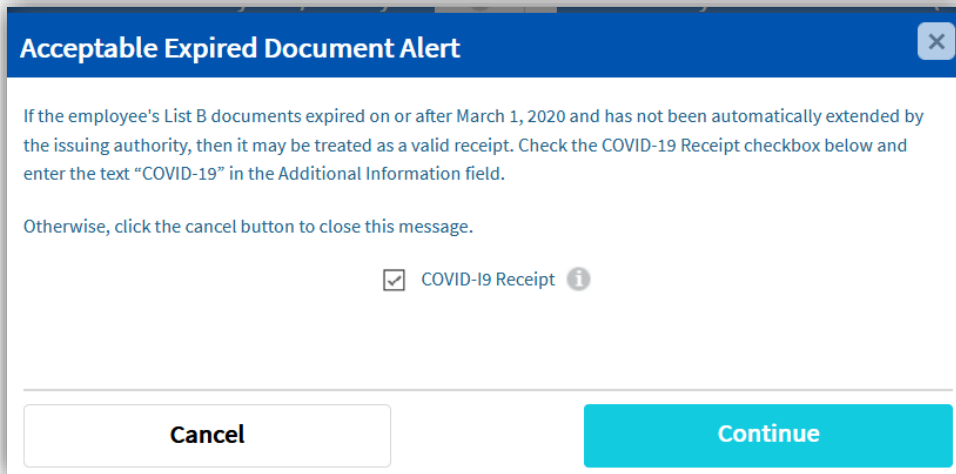
Acceptable Expired Document Alert



This NEW alert informs that if the employee's List B document that expired on or after March 1, 2020 and the document has not been automatically extended, the document may be treated as a valid receipt. The alert instructs the user to confirm that the document qualifies as a receipt, or in the case the document does not qualify.

If the user clicks the **Cancel** button, Tracker I-9 will continue to enforce the rule that the List B expiration date cannot be expired.

When a user selects the **COVID-19 Receipt** checkbox, the **Continue** button enables.



Once the user clicks the **Continue** button, the Section 2 data entry form will display with:

1. A NEW "COVID-19 Receipt" checkbox that appears below the List B expiration date field, and
2. The "Employee presented an acceptable receipt in lieu of an original document in List B" checkbox will be automatically checked per the USCIS rule, and
3. The text "COVID-19" will be automatically added to the Section 2 Additional Information textbox per USCIS instructions. Any previously entered text in the Additional Information textbox will remain unchanged.

List B

Document Type: **Driver's License issued by state/territory** * i

Issuing Authority: **Alabama** * i

Document #: 123123123 * i

Expires: 03/01/2021 * i

1 COVID-19 Receipt i

Attachment

View/Upload File

2 Employee presented an acceptable receipt in lieu of an original document in List B i

3 **Additional Information** i

COVID-19

When the COVID-19 Receipt checkbox is checked, the Tracker I-9 solution will allow the user to complete Section 2 when the expiration date is in the past.

Unchecking the COVID-19 Receipt checkbox will automatically uncheck the “Employee presented an acceptable receipt in lieu of an original document in List B” and reestablish the validation rule that the expiration date must not be expired.

COVID-19 Receipt Next Action Logic

When Section 2 is signed, and the COVID-19 Receipt checkbox is checked:

- I-9 Next Action status will update to “Receipt Reverification Due”
- The Receipt Reverification Due Date will not be defined until USCIS terminates the temporary COVID-19 policy
 - o The I-9 Next Action Chevron will state “Receipt Reverification Due: Date TBD”



- o The Next Action Due date will be empty on Dashboard and Reports

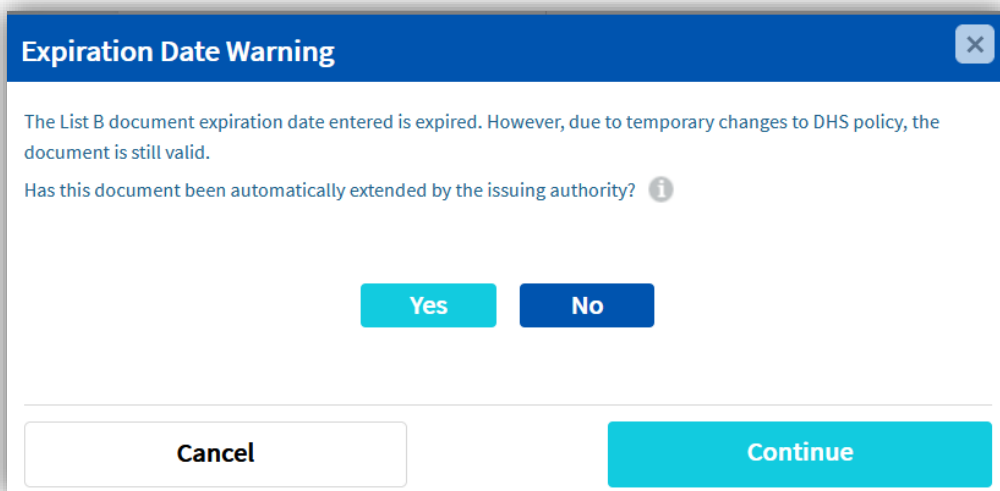
- Receipt Reverification Email alerts will not be sent for these I-9 until the Next Action Due date is defined (see below)
- If the I-9 is subject to E-Verify, submission of the E-Verify case will be hold until the employee presents an original document (per E-Verify rules that most document receipts disqualify an I-9 from E-Verify submission)

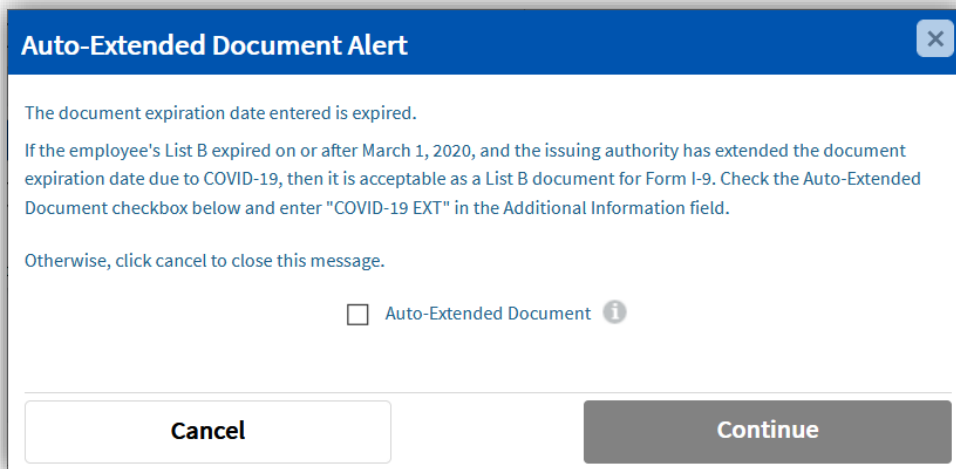
Tracker will update all I-9s with the COVID-19 Receipt Reverification to have a Next Action Due Date 90 calendar days after USCIS terminates the temporary COVID-19 policy.

For example, if USCIS terminated the temporary policy on July 1, 2020, all COVID-19 Receipt Reverification I-9s will be updated to have a Next Action Due Date of September 29, 2020. All Next Action Chevrons, Reports, and Email Alerts will be updated to track the new Next Action Due Date.

Auto-Extended Document Alert

If the user selects **Yes** and clicks **Continue** on Expiration Date Warning, the Tracker system displays the Auto-Extended Document alert.

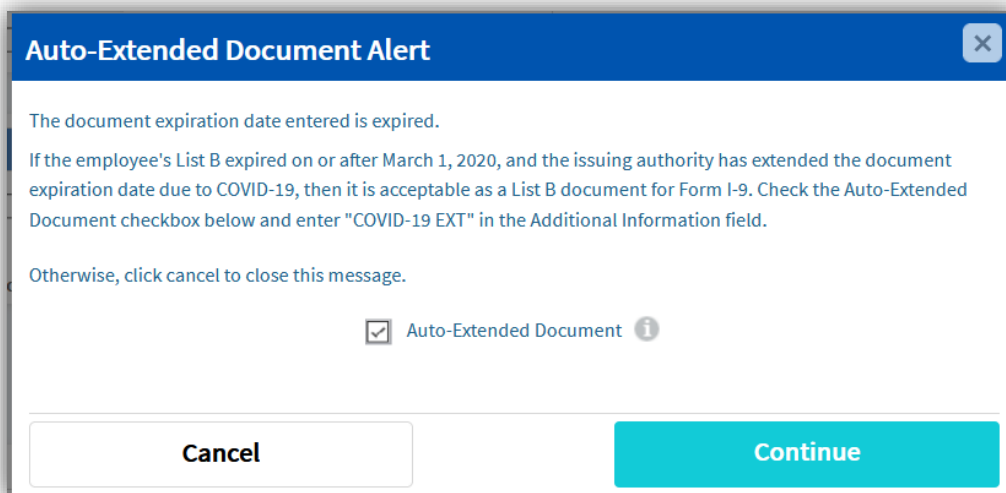




The alert instructs the user to either confirm that the document qualifies for an auto-extended, or in the case the document does not qualify, cancel the alert and update the expiration date.

If the user clicks the Cancel button, Tracker I-9 will continue to enforce the rule that the expiration date cannot be expired.

When a user selects the “Auto-Extended Document” checkbox, the Continue button enables.



Once the user clicks the Continue button, the Section 2 data entry form will display with:

4. A new Auto-Extended Document checkbox that appears below the List B expiration date field, and
5. The text “COVID-19 EXT” will be automatically added to the Section 2 Additional Information textbox per USCIS instructions. Any previously entered text in the Additional Information textbox will remain unchanged.

List B

Document Type: **Driver's License issued by state/territory** * i

Issuing Authority: **Alaska** * i

Document #: 123123123 * i

Expires: 03/01/2021 * i

1 **Auto-Extended Document**

Attachment

View/Upload File

Employee presented an acceptable receipt in lieu of an original document in List B * i

2 **Additional Information** i

COVID-19 EXT

If the Auto-Extended Document checkbox is checked, the Tracker I-9 solution will allow the user to complete Section 2 when the expiration date is in the past.

USCIS guidelines suggest, but do not require, that employer may choose to confirm that a state has auto-extended the expiration date of state IDs and driver's licenses by checking the state Motor Vehicle Administration or Department of Motor Vehicle's website. Employer may also choose to attach a copy of the state motor vehicle department's webpage or other notice indicating that their documents have been extended.

Unchecking the Auto-Extended Document checkbox will reestablish the validation rule that the expiration date must not be expired.