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Immigration

## DHS Extends I-9 Flexibility to End of December

**Legal Update**

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By Immigration Group

*This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.*

The Department of Homeland Security (DHS) announced an extension until December 31, 2021, of the flexibility in complying with certain requirements related to Form I-9, Employment Eligibility Verification, due to continuing issues related to the COVID-19 pandemic. The temporary guidance previously was set to expire August 31, 2021.

A U.S. Immigration and Customs Enforcement (ICE) release from March 2020 provides information on how to obtain, remotely inspect, and retain copies of the identity and employment eligibility documents to complete Section 2 of Form I-9. DHS said employers must monitor DHS's and ICE's Workforce Enforcement announcements for information on when the extensions will end and normal operations will resume. E-Verify participants who choose the remote inspection option "should continue to follow current guidance and create cases for their new hires within three business days from the date of hire," DHS said.