

USCIS ISSUES UPDATED M-274 (I-9) HANDBOOK FOR EMPLOYERS

Today, U.S. Citizenship and Immigration Services issued an updated version of the [M-274 I-9 Handbook for Employers](#). The updates follow the changes that resulted from the release of the revised I-9 Form on January 31, 2020. It also includes additional guidance for commonly asked questions and issues raised by employers.

The M-274 is the “go-to” manual for questions regarding I-9 completion and its continued updates are an extremely helpful way for the regulatory agencies to ensure that employers have a needed tool for successful completion of the required forms.

Notable Updates to the Handbook include the following:

- USCIS added specific guidance regarding the use of “Authorized Representatives” who can complete Section 2 or 3 for an employer. This is a common question and an area that has gained a lot of attention with the greatly expanding remote employee population.
- Updated guidance section describing how an employer should complete Employment Authorization Documents subject to auto-renewal – Section 4.4 (formerly described in Section 4.2). This guidance eliminates the employee having to update their Section 1 EAD expiration date and allows the employer to note the auto-extension in the “Additional Information” area of Section 2.
- Updated guidance advising employer how to document cap-gap extensions to better align with the federal regulations.
- Updated guidance on how employers should complete I-9s for employees with EADs that are automatically extended with a Federal Register update.
- Elimination of duplicate content and restructuring of the section topics and section numbering.

Proper completion of I-9 forms is not intuitive and due to the various federal, state and local government documents that may be used, continual refresher training should be provided for personnel who are assigned this responsibility. As Guidepost often notes in I-9 training provided to clients, “the I-9 Form is a two-page form that has a 96-page user manual.”

With the complexity of I-9 compliance programs, as well as continued I-9 compliance enforcement by Immigration and Customs Enforcement (ICE), Guidepost offers a range of services for employers to build, assess, and remediate compliance programs to ensure compliance with all relevant laws. We have assisted companies from Fortune 500 to

local independent companies with their I-9 concerns.

As a reminder to all employers, the new I-9 form (version 10/21/2019), becomes mandatory on May 1, 2020 and prior versions can no longer be used.



WILLIAM RILEY CAMS, CGSS, CFE

President, Compliance

As the president for compliance, Bill Riley leads the Financial Institutions and Immigration and Border Services practices. He is also a member of the Monitoring and National Security practices in the Washington, D.C. office of Guidepost Solutions. He oversees engagements relating to bank monitorships/remediation, advisorships, immigration compliance, and export and trade controls. Over the past ten years, Mr. Riley has worked on numerous international engagements for clients in more than 20 countries.