

LEGAL UPDATE

USCIS Updates Form I-9 and E-Verify



On April 2, 2025, the U.S. Citizenship and Immigration Services (USCIS) updated its Employment Eligibility Verification form (Form I-9) and the Department of Homeland Security (DHS) Privacy Notice in the form's [instructions](#) to align with statutory language. The [revised](#) Form I-9 is dated "01/20/25" and has an expiration date of "05/31/2027." Notably, multiple previous editions of Form I-9 remain valid until their respective expiration dates.

Background

The Immigration Reform and Control Act of 1986 requires all employers, regardless of size, to hire only individuals who may legally work in the United States. To comply with the law, employers must verify each individual's identity and employment authorization by completing and retaining the Form I-9.

Key Updates

Key updates to the Form I-9 include:

- Renaming the fourth checkbox in Section 1 to "An alien authorized to work";
- Changing "gender" to "sex" in the description of two List B documents in the Lists of Acceptable Documents; and
- Adding statutory language and a revised DHS Privacy Notice to the instructions.

Starting April 3, 2025, the Citizenship Status selection during case creation in E-Verify and E-Verify+ will change from "A noncitizen authorized to work" to "An alien authorized to work." However, employers should note that if an employee attests on Form I-9 as "A noncitizen authorized to work," the employer must select "An alien authorized to work" in E-Verify. E-Verify cases will display "An alien authorized to work" while employees and employers may continue to see "A noncitizen authorized to work" on Form I-9, depending on the form edition being used.

Employer Takeaway

The updated Form I-9 is currently available for employers to use. Additionally, employers may continue to use prior editions of the form until their respective expiration dates, as follows:

- Form I-9 (08/01/23 edition) is valid until May 31, 2027; and
- Form I-9 (08/01/23 edition) is valid until July 31, 2026 (employers using this form must update their electronic systems with the May 31, 2027, expiration date by July 31, 2026).

Employers should ensure that the updated Form I-9 is incorporated into their employment verification process by July 31, 2026. Employers can find more information and additional resources by visiting the USCIS' [I-9 Central](#).