

# NEWS UPDATE

September 27, 2010

## **Subject: E-Verify Program Updates; Clarification on I-9 Completion Timeframe.**

If you participate in the E-Verify program, please be advised that USCIS has made the following changes to the program:

### **OSC and E-Verify**

USCIS entered into a formal agreement to share information gathered through the E-Verify program with the Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC), which is part of the Department of Justice. Employers authorize USCIS to share E-Verify information with OSC when signing the Memorandum of Understanding (MOU). In particular, OSC is looking for employers who may be discriminating against potential employees by using E-Verify as a pre-employment screening tool. Employers who are found guilty of discrimination may be fined for misusing the E-Verify program, and may be dropped entirely from the program.

### **Use of Designated Agents**

Many companies use designated agents to carry out the E-Verify program. USCIS is developing a new MOU for designated agents to ensure compliance. The MOU will contain stricter guidance and standards relating to the use of E-Verify.

### **E-Verify 3.0 Online Program**

Effective June 14, 2010, USCIS launched the E-Verify 3.0 program. The new version is designed to provide better visual guidance for employers using the program.

### **Timeframe for Completing I-9s and E-Verify**

Both USCIS and U.S. Immigration Control and Enforcement (ICE), which holds enforcement authority over the I-9 process, have confirmed that an employer must complete the I-9 process within three days, meaning the day of hire *plus three additional days*.

If you have any questions, email us at [contactRS@rudnickspector.com](mailto:contactRS@rudnickspector.com).

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