



# Fact Sheet

September 5, 2023

## **Form I-9 and E-Verify Guidance for Those Affected by the 2023 Hawaii Wildfire**

Employers must complete [Form I-9, Employment Eligibility Verification](#), to document verification of the identity and employment authorization of each new employee hired after Nov. 6, 1986, to work in the United States as required by section 274A of the Immigration and Nationality Act. Employers must ensure that their newly hired employees properly complete and sign Section 1 of Form I-9 no later than their first day of employment. Within three business days of the employee's first day of employment, employees must present documentation to the employer from the Lists of Acceptable Documents to show identity and employment authorization and employers must examine that documentation then complete and sign Section 2 of Form I-9.

Employees affected by the 2023 Hawaii wildfire who need to replace lost, stolen or damaged documents to complete Form I-9 should visit the **Immigration Relief in Emergencies or Unforeseen Circumstances** page at <https://www.uscis.gov/newsroom/immigration-relief-in-emergencies-or-unforeseen-circumstances>.

### **Completing Form I-9 When Employee's Documents Are Lost, Stolen or Damaged**

New employees whose documentation was lost, stolen or damaged may present a receipt showing they have applied for a replacement document. A receipt fulfills the verification requirements of the List A, B or C document for which the receipt was issued and is valid for 90 days from the first day of employment. Employees who cannot present the actual replacement document for which the receipt was issued by the end of the 90-day receipt period may choose to present different acceptable documentation. Receipts are not acceptable if employment lasts fewer than three business days.

### **Reverifying Employees When Employee's Documents Are Lost, Stolen or Damaged**

Current employees who require reverification must provide proof of continued employment authorization by the date their current employment authorization expires. These employees may also present a receipt showing they have applied for a replacement of their lost, stolen or damaged document to meet this requirement. The employee must present the replacement document within 90 days from the date the original employment authorization expired. Employees who cannot present the actual replacement document for which the receipt was issued by the end of the 90-day receipt period may choose to present different acceptable documentation.



## **Recreating Destroyed Form I-9 Records**

Employers affected by the 2023 Hawaii wildfire must recreate new Forms I-9 for current employees if the employee's original Form I-9 was damaged or destroyed in the 2023 wildfire. Employers must annotate the Additional Information field for recreated Forms I-9 to read: "Original Form I-9 destroyed in 2023 Hawaii wildfire; replacement created MM/DD/YYYY."

## **Additional Resources**

More information on completing and retaining Form I-9, as well as acceptable documents for Form I-9, can be found in the [M-274, Handbook for Employers](#) and on [www.uscis.gov/i-9-central](http://www.uscis.gov/i-9-central).

## **When to Create a Case in E-Verify**

E-Verify remains available to employers affected by the 2023 Hawaii wildfire. If you have any questions or issues, please contact E-Verify Customer Support at 1-888-464-4218 (for employers) or 888-897-7781 (for employees).

Employers cannot create a case in E-Verify if the employee presents a receipt showing that he or she has applied to replace a document that was lost, stolen or damaged. Employers must wait until the employee presents the replacement document (or other acceptable documentation if the employee cannot present the actual replacement document and presents another acceptable document instead) for which the receipt was presented to create a case in E-Verify for the employee. If employers are unable to create a case within three business days of the first day of employment, E-Verify will prompt them to enter the reason for the delay. When E-Verify asks for the reason this case was not submitted within three business days, select "Other" and type "Receipt provided. Awaiting actual document" in the field provided.