

Form I-9-010 Revision Responses to 30-day FRN Public Comments

Public Comments (regulations.gov): [USCIS-2006-0068](#)

30-day FRN Citation (federalregister.gov): [87 FR 40857](#)

Publish Dates: July 8, 2022 - August 8, 2022

Comment #/Topic	Commenter ID	Comment	USCIS Response
1.		Commenter: John Flanagan	
Clarify Attestation in Section 1	0622	I am restating and resubmitting my comment (0477) from April 2022. See attached file(s).	<p>Response: USCIS will not adopt this recommendation for the form. There is a warning in the instructions that should sufficiently address the commenter's concern.</p> <p>USCIS also will not accept recommendations to change the attestation language. The attestation language on the proposed form matches the attestation contained on previous versions of Form I-9. Under statutory requirements found in 8 U.S.C. 1324a, employees must make this attestation on this form under penalty of perjury to satisfy the employment verification process. The purpose of the attestation section of Form I-9 is for the employee to attest to their citizenship or immigration status, and that that status authorizes them to work in the United States.</p>
2.		Commenter: Anonymous	
Remote Examination of Documentation	0625	Hello, It has been very convenient to verify I-9's remotely. I hope that U.S. Citizenship and Immigration Services can make the remote verification standard before the current expiration of 10/31/2022.	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible</p>

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			requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking. For OIRA: ICE is drafting a Notice of Proposed Rulemaking to allow remote examination of documentation with certain requirements.
3.		Commenter: Christopher Tingus	
Out of scope	0624	Submitted I90 last Nov...heard last on Jan4th update under review and now July and nothing since Jan 4th! chris.tingus@gmail.com	Response: This comment is out of scope for the intended information collection.
4.		Commenter: GryphonHR	
Formatting	0627	In Section 1 of the Form I-9 Proposed Revision dated July 8, 2022, if the employee attests to being "A noncitizen authorized to work until...", either the USCIS/A-Number, Form I-94 Number, or Foreign Passport Number and Country of Issuance is required. With this proposed revision, the Foreign Passport Number and Country of Issuance is combined in the same field. Could these two fields, Foreign Passport Number and Country of Issuance, be separate out in separate boxes in order to better facilitate the separation of this data? The elements are required to be sent to E-Verify, if applicable, and separating these out would facilitate a more streamlined experience for the employer to submit this information. If they can't be split, can guidance be provided in the instructions to articulate how the data should be entered	Response: USCIS incorporated this request in the 30-day draft published to the docket.

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		so that there is consistency.	
5.		Commenter: Anonymous	
Remote Examination of Documentation	0628	Make remote verification permanent. Most employers have remote employees that can provide a digital scan of identification documents.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
6.		Commenter: Heather Thomas	
Remote Examination of Documentation	0630	I would like to comment that the form should continue to be verified remotely, indefinitely, with no obligation to see the forms in-person. Due to e-verify and advanced technology we have the ability to scan and upload the documents virtually with clear, detailed images, that should make determining someone's eligibility more efficient. While companies should make every best effort to determine someone's work authorization with the resources provided, it is ultimately the governments job to determine their eligibility and e-verify has been designed to confirm that.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection

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			revision. This type of change to the Form I-9 process will require a rulemaking.
7.		Commenter: Anonymous	
Out of Scope	0633	If someone using my social security number or State ID in your country it's a fraud I	Response: This comment is out of scope for the intended information collection.
8.		Commenter: Lafayette County Enterprises, Inc	
Support	0626	It looks ok to me!!	Response: USCIS appreciates this comment.
9.		Commenter: eli maroko	
Out of Scope	0629	<p>In order to close an apparent gap in the list of permitted documents as will satisfy I-9 requirements for a new hire and the Employer's required viewing of an original EAD....</p> <p>...if there is an error or typo on an EAD, the applicant can obtain correction of the EAD only by returning it to USCIS and waiting for reissuance of a corrected card. However, USCIS may require an extended time to complete the reissuance. In the interim, the applicant should be deemed to be employment-authorized but has inadequate evidence of that status since only a copy of the EAD (as also contained a typo or other some error) is available to be submitted to the Employer for viewing.</p> <p>We understand that, even for an employer who has E-Verified the applicant (in a new hire situation) this would be insufficient to satisfy I-9 requirements and the hire will be delayed indefinitely. Can we do better to accommodate such a situation?</p>	Response: This comment is out of scope as it is a USCIS policy issue rather than a Form I-9 information collection issue.
10.		Commenter: Vi Thorpe	
Remote Examination	0634	I am the I-9 Specialist for a large university with	Response: USCIS appreciates that many

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of Documentation		approximately 40,000 FT faculty and staff positions. The university hires approximately 10,000 people per year in FT and casual positions, many of whom are foreign nationals in 49 states and Puerto Rico. This function is managed by approximately six people plus a vendor. Virtual document processing, without recall to examine original, unexpired documents in person, would facilitate processing and bring the I-9 process into 21st century function.	commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
11.		Commenter: Larry Schild	
Clarify Attestation in Section 1	0623	I fully support John F Flanagan comments! (0622)	<p>Response: USCIS will not adopt the recommendations in Topic 1, but notes that there is a warning in the instructions that should sufficiently address the commenter's concern.</p> <p>USCIS also will not accept recommendations to change the attestation language. The attestation language on the proposed form matches the attestation contained on previous versions of Form I-9. Under statutory requirements found in 8 U.S.C. 1324a, employees must make this attestation on this form under penalty of perjury to satisfy the employment verification process. The purpose of the attestation section of Form I-9 is for the employee to attest to their citizenship or immigration status, and</p>

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			that that status authorizes them to work in the United States.
12.		Commenter: access llc	
Remote Examination of Documentation	0631	I would like to request that the I-9 form to continue to be completed remotely, indefinitely, with no obligation to see the forms in-person. Due to e-verify and advanced technology we have the ability to scan and upload the documents virtually with clear, detailed images, that should make determining someone's eligibility more efficient. The pandemic has changed the way the world works and it would be great if government processes reflect that change.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
13.		Commenter: Anonymous	
Remote Examination of Documentation	0632	Remote inspection of documents would lessen the burden on many employers, especially if it is allowed regardless of whether the position is for a remote worker. Including the ability to review electronic documents, such as photos or scans of documents, should be a reasonable inclusion if the employer is enrolled in E-Verify considering the documents provided will return a TNC if they are adulterated or fabricated. It has been my experience that employer representatives examining physical documents will often not see the subtle differences in a forged document, such as a Social Security Card, and the E-Verify case is the only	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to

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		clear way to verify the validity and relation of the document(s) to the employee presenting the document(s).	provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
14.		Commenter: Florida Medical Clinic	
Remote Examination of Documentation	0635	I believe we should be able to continue with remote processing of I9's permanently. It has not only been safe, but made for a much more convenient and seamless onboarding process for our new hires. We have been able to verify documents and with the use of e-verify can easily confirm work authorization.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
15.		Commenter: Jennifer S	
Remote Examination of Documentation	0646	I much prefer the virtual document collection for the I9 verification. This has allowed us to still verify the documents and catch the folks who don't match still without the amount of excessive time required on the employee side. They seem to prefer the slower pace/not having to bring in their documents on the 1st day and then have to figure out where to keep them safe that day. I much prefer to take care of it prior to them starting as well so we can address anything we need to with more time.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a

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			process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
16.		Commenter: Anonymous	
Request for Guidance Formatting	0654	As an administrative clerk for a PEO it is time consuming for both me and our payroll coordinators to have to constantly send back I9 forms to request the required 3 letter 10 digit document numbers for PRC and EAC cards. It would be extremely helpful to have this information included in the instructions for the I9 form. Also explaining that this number is different from the USCIS/Alien Registration Number that is required on page 1. Slightly larger boxes for the social security number would aid in legible written numbers so they are easier to read.	Response: USCIS will update the M-274 to provide better guidance on entry of document numbers on Form I-9. USCIS will also work to ensure the Social Security number boxes on the Form are as large as possible in the space allotted.
17.		Commenter: In Staffing	
Remote Examination of Documentation	0655	The remote form I-9 verification should be made a permanent practice with no obligation to see the forms in-person. Since employers are submitting details from the I-9 during E-Verify that should make determining someone's eligibility unambiguous. Please do away with the in-person verification requirement.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process

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			will require a rulemaking.
18.		Commenter: Beatriz Garcia	
Out of Scope	0653	<p>Hola buen día mi solicitud es para solicitar empleo en su apreciable país y así salvar mi vida y la de mis 4 menores hijos ya qué corremos riezgo de muerte</p> <p>(English Translation: <i>Hello good day my request is to apply for a job in your appreciable country and thus save my life and that of my 4 minor children since we run the risk of death</i>)</p>	Response: This comment is out of scope for the intended information collection.
19.		Commenter: Mariah Skinner	
Out of Scope	0650	Update the payee on Mariah skinner social security and disability check and put my name Mariah skinner on the payee of my social security disability check	Response: This comment is out of scope for the intended information collection.
20.		Commenter: Anonymous	
Remote Examination of Documentation	0644	Will employers be able to verify IDs by video on a regular basis? Our company is switching to fully remote work rather than going back to our physical work space. That means we can now hire anywhere in the US. How are we to be expected to verify IDs in person in state where we have no other employees? The world has changed.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process

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			will require a rulemaking.
21.		Commenter: Susan Decareau	
Remote Examination of Documentation	0649	As the remote workforce continues to grow and becomes more permanent, I believe it is in the best interest to continue to allow remote verification of I-9's. Many states such as California, Pennsylvania and Texas have made it more difficult for new hires to have their I-9's verified by notaries due to confusion in what those states actually permit their notaries to do. It has become increasingly frustrating for both the employee and employer to comply with in person verification. It's a dated practice.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
22.		Commenter: Tamara Mendelson	
Remote Examination of Documentation	0643	There is no need to revert to an in-person verification process, especially in a technological climate where tools like e-Verify, ID.me, etc. exist. Remote verifications have proven to be efficient and effective. Not only are employers not prepared to (and have not been provided sufficient resources to) complete in-person verifications for out-of-state and otherwise remote employees that have been hired over the past two years, but the few available solutions do not make sense. Not all states permit notaries to verify I-9 documents. Even in ones that do, the supply of mobile notaries will likely not	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of

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		<p>meet the demand once remote inspections end.</p> <p>The result of this is that when completing the I-9 for new hires, employers will have to require the new hire designate an individual in their own life to verify the document as an authorized representative. This leaves it upon the employer to train this random individual on how to properly inspect documents, which can be a complicated and labor-intensive process, especially when communication with the authorized representative is not readily available or provided on time. Not only that, but this type of remote inspection process requires the employer to place their trust in a stranger to answer the form with integrity, which negates any advantage seemingly gained in the process of having the documents verified in person.</p> <p>All in all, it's painfully evident that there is no significant advantage to the verifications being required to be done in-person for remote employees. Not only is the likelihood that a fraudulent document will be missed essentially the same as it is with remote inspections, but it may even be more likely than remote methods to miss fraud given the way technology continues to improve (again: eVerify, ID.me, etc.). The burden on employers (and employees alike), on the other hand, would be monumental if I-9s from the past 2 years and those moving forward had to suddenly be verified in person, and this burden is not justified by any presumed benefit. Clearly, in-person</p>	<p>change to the Form I-9 process will require a rulemaking.</p>

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		verifications for remote employees are completely impractical and serve no utility to the agency.	
23.		Commenter: Anonymous	
Remote Examination of Documentation	0638	Remote verification of I9 supporting documents reflects the way business is done today - flexibly. Technology allows for high-quality images of documents, making fraud a non-issue. In addition, this approach is more inclusive to people with disabilities, a special concern as COVID variants continue.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
24.		Commenter: Anonymous	
Remote Examination of Documentation	0636	In regards to evaluation #4, I would recommend the agency continue to allow Form I-9 to be completed electronically with no obligation to review employment eligibility documents in-person. Current technology allows for new employees to provide their verification documents electronically; the scans or pictures provided are legible, clear and detailed and easily retained as a record in the employer's HRIS. E-Verify provides an immediate report to the employer if the documentation provided is inconsistent with other records, which is a much more reliable method of determining adulterated, forged or	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to

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		<p>fabricated documents than employer representatives physically examining documents.</p> <p>Allowing employers who are enrolled in E-Verify to continue remote or electronic completion of the I-9 form without an in-person requirement allows businesses to substantially increase their hiring pool without the need to consider costs to the business to pay for travel or document delivery services. Permanently allowing this rule will also allow HRIS companies to invest in the technology needed to integrate with E-Verify and help employers better track and reverify employees on work visas and/or with expiring documents. Permanently allowing this rule will offer businesses predictability and allow the agency to keep pace with the private sector.</p> <p>Thank you for considering these comments.</p>	<p>provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p>
25.		Commenter: Anonymous	
Remote Examination of Documentation	0639	<p>Hello - the world in which we now work has drastically changed over the past 30+years but the form I-9 process has remained the same. As noted in the document for this request, it is significant amount of labor hours and cost to manage this process. Now that we are more remote and there is technology to support electronic verification, I would encourage that you move to that as an option. Additionally, with E-Verify there is a check point for the authorization to work in the US and perhaps as an option, you indicate you can opt out as long as you are part of E-Verify. For those companies keeping paper forms and</p>	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to</p>

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		paper copies of documents think of the environmental impact to collecting that documentation. If you are an E-Verify employer you must keep the documents and do not have the option not to manage copies. The form is complex and so is the documentation especially with visas and those with receipts waiting on EADs or other work auth documentation. You could even make a major change and have E-Verify allow the employee to provide directly their information with employers being able to check a social security number, which we have to have to pay and employ someone, to verify the employee is an authorized individual. This would take away the burden placed on employers and utilize the government system already in place for verification of employment. While the latter option is a major modernization of the program - it may be something to strive for in the future if not ready to move forward now. A big win would be to allow digital completion of the I-9 process and leverage E-Verify for verification. Thanks for considering modernizing an extremely dated and manual process.	provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
26.		Commenter: K Jenson	
Formatting	0645	AS a legally blind person, I'd appreciate if the font could be bigger. Thank you.	Response: Due to space constraints, USCIS is unable to increase the font further, however we have ensured that the form can be read with accessibility tools.
27.		Commenter: Anonymous	
Formatting	0642	1. Please widen the "Signature of employee" & "Today's date" boxes as employees miss this a lot and forms have to be returned for signature & date quite often.	Response: USCIS has ensured that the signature and date fields are large and more strategically placed to ensure they are not missed in the draft provided

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		2. Also please remove the boxes that have been added in the "US Social Security Number" field on the "paper" version as the boxes are too small for a lot of employees handwriting.	with the 30-day comment docket. USCIS will not adopt the recommendation to remove the boxes, as these boxes help to ensure that the employee enters the full 9-digit Social Security number.
28.		Commenter: Oracle	
Remote Examination of Documentation Provide Unlocked Form to Public	0640	<p>I work for a large organization (100k+ employees) and we have two request that would make our Form I-9 Admin process go smoother. 1) ability for Admin to continue to verify employee documents remotely. A large population of our workforce is remote and we don;t see that changing in the near future (next few years). 2) We are a large organization and environmentally friendly - all of our employees complete the Form I-9 online (not manually on paper). It would be beneficial if we could use pdf form - currently Dept of Homeland Security doesn;t allow for employers to use an updatable pdf version. So that means we have develop and recreate the form I-9 online vs. we could just have employees complete the delivered form if DofHS allowed for updatable to be used.</p> <p>-Julie</p>	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p> <p>USCIS cannot provide an editable PDF of the approved form. USCIS agrees that electronic Form I-9 providers and other users need time to transition to the new features of the proposed form and will provide a transition period to allow users to adopt the revisions. USCIS will provide public notice upon publication of the approved form with the specific length of the transition period, how long users may</p>

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			use either the current form or new form, and when they must use only the new form.
29.		Commenter: Anonymous	
Remote Examination of Documentation	0641	Please continue allowing us to review and confirm I9 documents via remote sessions. The 3rd party agencies that do this for a fee are unreliable at best and expensive to use.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
30.		Commenter: Anonymous	
Remote Examination of Documentation	0637	I fully support allowing the I9 documents to be remotely verified for e-verify employers. With the technology available today we are able to view documents via webcam, receive clear color copies plus all new hires are submitted through e-verify. This saves on administrative burden, cost and should be a benefit for employers that participate in e-verify.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to

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30-day FRN Citation (federalregister.gov): [87 FR 40857](https://www.federalregister.gov/documents/2022/07/08/2022-13457/uscis-form-i-9-revision)

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Comment #/Topic	Commenter ID	Comment	USCIS Response
			provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
31.		Commenter: Eyman Kalid	
Out of Scope	0651	haroomaya5679@gmail.com - Attachment Redacted	Response: This comment is out of scope for the intended information collection.
32.		Commenter: Bak Danso	
Out of Scope	0652	BAK danso birth mail address - Attachments Redacted	Response: This comment is out of scope for the intended information collection.
33.		Commenter: Nicole Orth	
Remote Examination of Documentation	0647	<p>I am a HR Manager that has around 40 employees with 15 percent of the staff living in four states. The I9 process can be extremely cumbersome for those living in other states. Most freshly hired employees do not want to go have their information notarized by someone just so they can start a new position somewhere.</p> <p>Please consider:</p> <p>(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;</p> <p>(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;</p> <p>(3) Enhance the quality, utility, and clarity of the</p>	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.

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		information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.	
34.		Commenter: Louise Brown	
Out of Scope	0648	I believe everyone should be able to get a chance at liberty and justice in America	Response: This comment is out of scope for the intended information collection.
35.		Commenter: Ben Krisher	
Remote Examination of Documentation	0658	<p>I'm the HR Director for a multi-state company which employs 100+ people across the country, including in some hard-to-access locations (Alaska). Remote verification of I-9 identification documents has been a huge help for our business for a variety of reasons:</p> <p>We were able to continue to hire while keeping our employees and new hires safe from COVID-19 exposure We were able to save costs by not flying candidates in to our HQ when hiring them We were able to consider candidates on a faster timeline due to the remote options</p> <p>With today's telecommuting technology we are able to quickly and efficiently view and verify identification documents.</p>	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.

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		<p>Remote verification of I9 documents is also beneficial for workers and candidates who have disabilities which make it difficult to report to a workplace. This is an urgent need given the ongoing effects of COVID-19 on many people.</p> <p>I strongly urge the USCIS to make remote verification of I9 documents permanent as a way to modernize the process, make it easier for businesses to operate in multi-state jurisdictions, and provide equitable opportunities for all workers.</p> <p>-Ben Krisher, HR Director</p>	
36.		Commenter: Patrick Cole	
Remote Examination of Documentation	0656	<p>the I-9 is outdated and the requirements for it are archaic, a holdover from the immigration-paranoia of the Reagan-era. No I-9 Verifier is an expert in document forgery, nor are we expected to be. Let the documents be examined over email or video chat, or abolish the I-9 form altogether. the form is unnecessary and more than a little bit racist, given that the goal is to root out "illegal" workers, people of other nationalities who are just trying to do a job to survive and contribute to society.</p>	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p>
37.		Commenter: Anonymous	
Remote Examination	0657	Please allow for the continued ability to verify employee	Response: USCIS appreciates that many

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Comment #/Topic	Commenter ID	Comment	USCIS Response
of Documentation		documents remotely. With the huge rise in remote employees across the United States, it has become increasingly difficult to notarize documents in-person. Electronic collection of these documents saves both time and paper and makes the onboarding process smoother for employees. Remote employees will continue to disperse across the US and it will become increasingly difficult to review their documents, not to mention retroactively inspect the documents of employees who have been remote for the past two years because of COVID.	commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
38.		Commenter: Richelle Kranc	
Remote Examination of Documentation	0659	Hello - I would like to see the process stay remote. Thank you	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
39.		Commenter: Kalynn Morano	

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Comment #/Topic	Commenter ID	Comment	USCIS Response
Remote Examination of Documentation	0663	Hello, It has been very convenient to verify I-9's remotely and I encourage the U.S. Citizenship and Immigration Services to make remote verification standard before the current expiration date of October 31, 2022. In this remote work environment, now more than ever advancements to procedure and policy are essential.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
40.		Commenter: Anonymous	
Remote Examination of Documentation	0664	I would like to see the I-9 verification process continue to allow for remote submission on documents permanently. This has made it easy and convenient for us to hire remotely and still be able to verify through e-verify with scanned documentation that is very clear with today's technology.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.

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Comment #/Topic	Commenter ID	Comment	USCIS Response
41.		Commenter: Anonymous	
Remote Examination of Documentation	0661	I am sending in this comment for the OMB Control Number 1615-0047, USCIS, Docket ID USCIS-2006-0068. As a business that has moved the majority of its 250 employees in the US to remote, a return to the old system of verifying ID for I-9 within 3 days of a new employee starting would add significant burden to our staff to ensure compliance. In my personal opinion, the current methods of using video calls has worked well for our organization and caused no issues, we are able to verify documents via video call and written and signed affidavits. It has reduced our administrative burden and cost and ensured that we are able to remain in compliance in a straight forward way. We would request to continue with the current I-9 process and make it a permanent change.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
42.		Commenter: Anonymous	
Remote Examination of Documentation	0660	The remote I-9 document inspection should continue. The I-9 form is living in the 1900s with the requirement of in-person document review. With the technology of the 2000's, video calls work great! Furthermore, E-verify is designed to catch document issues that an average person reviewing documents would have no way of catching. Additionally, for non US citizens, the work authorization document issuers are so back logged that automatic extensions of up to 540 days is being granted. If a person wants to work in the US, let them work. There is an extreme labor shortage as evidenced by government agencies inability to renew documents timely. Let's bring the form I-9 up to the standards and technology of today!	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process

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			will require a rulemaking.
43.		Commenter: Winrock International	
Remote Examination of Documentation	0662	<p>I am sending in this comment for the OMB Control Number 1615-0047, USCIS, Docket ID USCIS-2006-0068. Pre-COVID, my company already operated in both a US office and US remote capacity. The old process was very burdensome and stressful for HR colleagues like myself for remote employees due to the 3 day deadline, as well as remote employees not understanding clear instructions and submitting I-9s with notary stamps, employees getting frustrated on having to spend time tracking down and trying to find someone in their area that was willing to complete on the company's behalf, and our leaders getting frustrated that this time consuming process was taking away valuable training time. Since 2020, my company now operates with the majority of its 250 employees in the US working in a full-time remote capacity and have greatly benefited from virtual-video capabilities to make the process less stressful and easier for both HR and the employee during their onboarding experience. A return to the old system of verifying in-person ID for I-9 within 3 days of a new employee starting would add significant burden to our staff to ensure compliance.</p> <p>In my personal opinion, the current methods of using video calls has worked well for our organization and caused no issues, we are able to verify documents via video call and swiftly complete the Everify process within the required timeframe. It has reduced our administrative burden and cost and ensured that we are able to remain in compliance</p>	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p>

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		in a straight forward way. We would request to continue with the current I-9 process and make it a permanent change. Thank you.	
44.		Commenter: Saban Capital Group	
Remote Examination of Documentation	0667	This would create an undue hardship for our organization who is working in a fully remote environment since the pandemic. We recommend the remote verification process be implemented permanently.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
45.		Commenter: Saban Capital Group LLC	
Remote Examination of Documentation	0665	virtual continuation of I-9 verification will be critical to the smooth running of our business	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a

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			process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
46.		Commenter: Kristine Bohrer	
Remote Examination of Documentation	0666	Recommending remote I-9 verification process be implemented permanently.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
47.		Commenter: Anonymous	
Revise List of Acceptable Documents	0670	The I-9 instructions do not indicate if the employer participates in E-Verify the List B document need to have a photo. Could there be a statement on the list of acceptable documents to indicate this?	Response: USCIS does not agree that the instructions are deficient. The proposed instructions do contain this information specific to E-Verify participants.
48.		Commenter: Anonymous	
Provide Field for Suffix in Section 1	0669	Currently the I-9 instructions do not give specify how to enter a suffix when applicable. Could Section 1 include a field for a suffix.	Response: USCIS will not accept this recommendation because the employee is required to enter their full legal name on Form I-9. If the suffix is a part of that name, the employee should enter it

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			in the Last Name field. We will ensure our guidance documents provide this information once OMB approves this information collection.
49.		Commenter: ROI DNA	
Remote Examination of Documentation	0668	As we live in a very digital world, I think the in-person step is now extremely antiquated and inspected I-9 documents should be fully remote. The in-person requirement adds an unnecessary burden to HR/personnel reps at companies when all of this can and should be able to be done remotely. Especially if we use a combination of I-9s and e-Verify, there is no reason that a physical inspection should be required. I think extending the virtual inspection as long as possible is a great idea.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
50.		Commenter: Anonymous	
Remote Examination of Documentation	0671	I much prefer the remote verification of I-9 documents. It's much more efficient to have employees submit their documents ahead of their start date. If there are any issues, they can be resolved before their start date.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a

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			process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
51.		Commenter: Kelly McNiff	
Remote Examination of Documentation	0672	In an increasingly remote first world, the continuation of virtual completions of I9s is crucial to the success of businesses. Especially when used in conjunction with E-Verify, why make employers pay for a third party service for I9 completion when the requirement could be virtual I9 completion + the use of E-Verify.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
52.		Commenter: Anonymous	
Grace Period Formatting of Electronic Form	0674 0673 0675	1. Need Extension of minimum of additional 9 months to run the old I9 and new I9 in Parallel please advise on the extensions. Justification because we to update our software to meet the needs new format of the new I9. 2. Please note that we process over 900k Form i-9 for hundreds of customers per year. Our company does not use paper Form i-9, we process the Form I-9 electronically as we have a paperless workflow. The proposed Form i-9	Response: USCIS thanks you for your input and will consider this request as it develops its timeline for public implementation of an approved Form I-9. USCIS agrees that electronic Form I-9 providers and other users need time to transition to the new features of the proposed form and will provide a transition period to allow users to adopt the revisions. USCIS will provide public notice upon publication of the approved form with the specific

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		has a huge impact on our current process. REQUEST to have separate Forms for separate sections like Section 1 and Section 2 when using electronic signature. Having multiple signatures on one page while using an Electronic signatures will present several technical challenges. For example, once Section 1 of the Form i-9 is electronically signed then you cannot add the data from Section 2 without breaking integrity of the first (employee's) signature. Previously this issue was resolved in our system as we were able to split the 2 sections (section 1 and section 2) on two separate documents. However now, with the new proposed Form I-9 this will not be possible if all electronic signatures need to be on one (1) document.	length of the transition period, how long users may use either the current form or new form, and when they must use only the new form. USCIS would like to reiterate that electronic forms created by third-party vendors, employer agents, etc., do not have to follow the format of the Form I-9 provided on the USCIS website and cannot collect more or different information. You may split up the sections of the form into multiple “pages” electronically to ensure that electronic signature requirements are met. You may also split up fields to better capture Form I-9 information in your electronic system, provided you do not collect more or different data than allowed on the USCIS-provided form. Refer to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i)(A); and 274a.2(e)-(i) for applicable regulations.
53.		Commenter: Linda Edwards	
Remote Examination of Documentation	0677	As a Human Resources Professional, I have seen the trend for having remote employees has become normal for many employers. Due to the pure logistical and geographic obstacles now presenting with remote locations separate from the employer "offices", it makes sense to permanently change the I-9 regulations to allow electronic viewing of documents given.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to

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			provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
54.		Commenter: Jack in the Box	
Remote Examination of Documentation	0676	It has been very convenient to verify I-9's remotely and I encourage the U.S. Citizenship and Immigration Services to make remote verification standard before the current expiration date of October 31, 2022. In this remote work environment, now more than ever advancements to procedure and policy are essential.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
55.		Commenter: Penny G	
Discontinue Form I-9	0678	I would like to eliminate the I9 document. We are presuming the documents they present are legit. It would be better to invest time/effort/money in the e-Verify system and require that all employees are processed this way. The I9 is maintained by the employer (in a book or file drawer) and unless an employer gets audited, we could have employees not eligible to work on the books for years because they presented fraudulent documents.	Response: Federal law requires all U.S. employers to complete and retain Form I-9 under 8 U.S.C. 1324a. USCIS thanks you for your input.
56.		Commenter: Nevada County Superintendent of Schools	
	0679	Considerations for I-9 compliance. We are a county office	Response: USCIS thanks you for your comment. See

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		of education and many county offices in California run a substitute consortium, where the county office is responsible for processing all new hire paperwork and then placing the new hire on a list for local school districts to use the person in their schools as a substitute employee. The county office is not the employer of record but rather, acts as a processing agency (or staffing or referring agency, if you would). The consortium model is successfully utilized in criminal background fingerprinting (as DOJ has approved this model) and county offices have been operating with this model for over 15 years. The consortium allows the county office to hire the individuals, collecting and maintaining all paperwork for the consortium agencies. Please consider this model for agencies that act as a consortium; allowing the agency to act on behalf of the employer; allowing an agency to complete I-9 forms for individuals referred for hiring at their consortium partners.	8 U.S.C. 1324a(a)(5)-(6) and 8 C.F.R. 274a.2(b)(viii)(A)(7)(iii) which may apply to your situation.
57.		Commenter: Wendy Siegel	
Remote Examination of Documentation	0682	As a Human Resources Professional, the verification of identification documents should be made easier. There has been such a significant increase in remote workers since 2020, I would strongly support a change in Form I-9 process that allows for virtual inspection of supporting documents. Currently, the process for truly remote workers only allows for the use of an authorized representative. I feel much more comfortable with a company employee reviewing documents virtually than I do someone who has no connection to the company attesting on behalf of the company. This change in process	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to

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		would support the purpose of the Form I-9 much better than the use of authorized representatives. Thank you for consideration of this change.	provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
58.		Commenter: Erica Thurman	
Remote Examination of Documentation	0680	As a Human Resources professional, given the significantly significant increase in remote workers since 2020, I would strongly support a change in Form I-9 process that allows for virtual inspection of supporting documents. Currently, the process for truly remote workers only allows for the use of an authorized representative. I feel much more comfortable with a company employee reviewing documents virtually than I do someone who has no connection to the company attesting on behalf of the company. This change in process would support the purpose of the Form I-9 much better than the use of authorized representatives. Thank you for consideration of this change.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
59.		Commenter: tammie llewellyn	
Remote Examination of Documentation	0681	As a Human Resources Professional, hiring remote employees has become normal. Due to the pure logistical and geographic obstacles now presenting with remote locations separate from the employer "offices", it makes sense to permanently change the I-9 regulations to allow electronic viewing of documents. We are not qualified fraud specialists - and would not recognize good fraudulent documents. Reviewing documents electronically vs in person does not provide any additional safeguard.	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does

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			not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
60.		Commenter: Anonymous	
Remote Examination of Documentation	0683	We are a fully remote employer, we do not have an office nor a centralized location where new hires can present documentation. Without the ability to verify I-9 information virtually we would have to only hire in cities that had someone who could complete an I-9 (and trust many with very sensitive information) or utilize it at a significant cost for us the third party to do so. It would be highly inconvenient for new hires (having to travel to meet an approved verifier) and would be a burdensome process for the organization (auditing would need to increase, error correction, risk of information being shared incorrectly, etc.) Bottom line it helps us hire individuals in places that we would have been reluctant to hire (eg. remote locations some with high unemployment rates) removes the cost and burden imposed by having someone physically see the documentation provided and we are able to ID mismatches or issues at the same rate as when done in person	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
61.		Commenter: Anonymous	
Remote Examination of Documentation	0684	OMB Control Number 1615-0047, Docket ID USCIS-2006-0068 Thank you for allowing comment to the Proposed Rule (RIN: 1653-AA86), titled "Optional Alternative to the	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this

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		<p>Physical Examination Associated With Employment Eligibility Verification (Form I-9).” I am an employee tasked with the project of ensuring I-9s completed virtually the past two years are verified in person. Below please find my personal comments on the proposed rule.</p> <p>Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;</p> <p>The collection of the I-9 and supporting documents is necessary for the proper performance of the functions of the agency. It is required that we verify employment eligibility. However, this documentation can be (and has been since the pandemic started) collected virtually using our secure staffing system (USA Staffing).</p> <p>Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;</p> <p>Agree with the conclusion that alternative document examination would decrease administrative burdens. With the increase in telework and remote work many orientations are being or can be handled virtually. Currently, the I-9 is the only document that must be verified in person. Allowing this form to be verified by utilizing a secure staffing system and scanned copies of</p>	<p>documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p>

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		<p>identification documents would reduce the administrative burden on employees administering and completing new hire orientation.</p> <p>Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.</p> <p>Allowing the completion of the I-9 and collection of identity document electronically will minimize the burden of those collecting and reviewing the information. The form and documents can be uploaded by the new employee along with other new hire forms and can be reviewed by an appropriate IRS employee. As there is no training provided to government employees on how to recognize a forged identity document it is very rare that one is identified. In addition, new employees undergo background checks, fingerprinting, etc. which will also verify employment eligibility.</p>	
62.		Commenter: Jennifer Garcia	
Remote Examination of Documentation	0685	<p>Most of our staff is now working at least partially remote. In order to verify I-9 in person, it's burdensome to schedule the employee to travel to HR to verify in person as our offices are located in different locations and often have remote schedules that do not coincide. An in person verification will also prohibit us from using workers that</p>	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback</p>

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		desire complete remote work or live far distances. In this job market, it's difficult to find staff and the ability to hire talent outside of our geographic area is vital.	on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
63.		Commenter: Anonymous	
Remote Examination of Documentation	0686	<p>OMB Control Number 1615-0047 / Docket ID USCIS-2006-0068.</p> <p>As a Human Resources Professional, I have personally seen the trend for having remote employees become normal for many employers. Due to the logistical and geographic obstacles now presented with remote hires it makes sense to permanently change the I-9 regulations to allow ongoing electronic viewing of documents provided. The use of notaries is unrealistic given the timelines and the technological systems do not exist for support of remote verification.</p>	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.
64.		Commenter: Anonymous	
Formatting	0687	The proposed Form I-9 presents a challenge for our company as we does not use paper Form i-9, we process the Form I-9 electronically as we have a paperless workflow. The challenge now will be fitting the varying lengths of data into the smaller form. For Example	Response: USCIS appreciates your input and has leveraged enough space to restore the third set of document entry fields to capture combination List A documents and significantly increase the Additional Information box.

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		<ul style="list-style-type: none"> •The 3rd List A document along with any other information to be entered in the additional information section would be a challenge. This affects readability as well as makes it hard to enter anything else. •The other fields that are merged also create a similar challenge. <p>If you try to fill in some sample data you may find more issues.</p>	<p>USCIS would like to reiterate that electronic forms created by third-party vendors, employer agents, etc., do not have to follow the format of the Form I-9 provided on the USCIS website and cannot collect more or different information. You may split up the sections of the form into multiple “pages” electronically to ensure that electronic signature requirements are met. You may also split up fields to better capture Form I-9 information in your electronic system, provided you do not collect more or different data than allowed on the USCIS-provided form. Refer to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i)(A); and 274a.2(e)-(i) for applicable regulations.</p>
65.		Commenter: Anonymous	
Remote Examination of Documentation	0688	<p>Greetings USCIS Officers,</p> <p>As an HR professional, I recommend that we make the virtual I-9 documents verification process permanent. HR professionals are not fraud examiners. We cannot determine if documents are legitimate even if we see them in person. Seeing them virtually and in person are exactly the same for us. As the world has shifted to more virtual based of working style due to the pandemic and also the norm will be eventually changing even during the post pandemic era, making virtual I-9 document examination method permanent would be much suitable for the new work style that people have adopted. Thank you for your consideration.</p>	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p>

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66.		Commenter: Anonymous	
Support	0689	I favor the proposed changes to the Employment Eligibility Verification Form. Over the years, we have seen the form go from 1 page to 2 pages, and the instructions go from 3 pages to 15. While the form and the information provided are important, the form/instructions have become burdensome. I hope the decision is made to reduce the number of pages to 1 and reduce the instructions from 15 pages.	Response: USCIS thanks you for your input.
67.		Commenter: Anonymous	
Out of Scope	0690	Please extend the 90 day receipt policy in section 2 of Form I-9 for "List C" EADs to match processing times by the USCIS. For example, current processing time for N-565 is 12 months at Nebraska which makes it impossible to meet the 90 day grace period for employees to comply with their employer to furnish an original EAD (ref: Handbook for employers M-274, 4.3 Acceptable Receipts). Please update this outdated policy so we do not lose good employees that are US Citizens.	Response: USCIS will not address a change to the acceptable receipt policy in this information collection revision. A change to the receipt policy would require a rulemaking. USCIS will work with DHS partners to consider these comments in future rulemakings.
68.		Commenter: Jaclyn Myers Casale	
Remote Examination of Documentation	0691	Related to OMB Control Number 1615-0047 for USCIS - Docket ID USCIS-2006-0068 for e-Docket ID number USCIS-2006-0068 Please remote the term 'physically' from page 3 (Section 1, Step 5, last paragraph); pg. 4 (first and second paragraphs); pg. 7 (second paragraph) and the requirement that employee and employer need to physical present and inspect, respectively, these documents for verification. This	Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible

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		<p>task can be accomplished within 3 days remotely using video conferencing methods and taking a screenshot of that session and downloading an image or scan of the presented document as supplemental documentation to accompany the I-9 electronically-signed form.</p> <p>It is an undue burden to ask an employee to overnight sensitive documents to an employer in another state for inspection in order to meet this requirement. For California employers, there is the additional barrier that an e-notary cannot meet the requirement of a 3rd party representative so we may need to engage the services of an immigration lawyer in order to meet California requirements for who can inspect I-9 documents to verify the form. And even this remote verification by an immigration lawyer, it seems, would not meet the needs of the USCIS. Employees should not have to find someone locally who can review, inspect, verify & sign such a document as this I-9. It creates an invasion of privacy & an expectation that someone would know what to look for in reviewing these documents for expiration dates or even validity or evidence of fraud. Please, I implore you to remove this unnecessary burden of in-person document inspection from the document & allow employers to meet the needs of today's remote workforce.</p>	<p>requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p>
69.		Commenter: American Immigration Lawyers Association	
Format and Clarifications	0693 (see attachments)	On behalf of the American Immigrations Lawyers Association, attached please find our response to the 30-day notice and request for additional comments on proposed changes to Form I-9, Employment Eligibility	<p>Response:</p> <ul style="list-style-type: none"> Employees are not required to enter their Social Security number for Form I-9, unless their employer uses E-Verify. Because it is
LOAD			

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30-day FRN Citation (federalregister.gov): [87 FR 40857](https://www.federalregister.gov/documents/2022/07/08/2022-13457/e-verify-form-i-9-revisions)

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		<p>Verification, as published in the Federal Register on July 8, 2022. Our comment is responsive to the specific information requested in the 30-day notice and commends USCIS for changes made to Form I-9 while proposing additional changes that will make the form more effective in enhancing compliance.</p> <p>AILA requested the following changes:</p> <ul style="list-style-type: none"> • Provide more space in the Social Security Number field to allow employees to attest that they are awaiting their SSNs and update this area once they receive their SSNs. • Add a checkbox to the 4th attestation to allow employees to indicate that their employment authorization does not expire. • Remove all address requirements for employers and employees • Mark the email and telephone number fields as optional or remove them altogether. • Add retention calculator • Add multiple checkboxes to the Additional Information field for employers to document both Form I-9 and business process information in Section 2. • Separate the reverification and rehire portions of Supplement B • Provide clearer instructions on reverification 	<p>not required for Form I-9, USCIS will not provide extra space to document that the employee is awaiting an SSN. The E-Verify User Manual provides a process whereby, after Form I-9 completion, the employer waits to create an E-Verify case until that employee receives their SSN. The employee should update Form I-9 to enter their SSN once they receive it.</p> <ul style="list-style-type: none"> • USCIS will not add this checkbox. Multiple checkboxes in this area will cause more confusion for employees. • USCIS will not remove the address requirements for employees and employers in Sections 1 and 2. This information is necessary for enforcement of Form I-9. • USCIS will not remove the email and telephone number fields, nor mark them as optional on the form itself. This information is provided in the proposed instructions. If the employer is an E-Verify employer, this information ensures that employees receive notice from E-Verify if they received a mismatch for which they must take action timely to avoid termination. • There is no room to add a retention calculator to the form, but USCIS will consider adding such a calculator on I-9 Central in the future. • USCIS will not add multiple checkboxes to

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		<ul style="list-style-type: none">• Add the date of the auto-extension to Form I-797 notices• Revert to the two-page form• USCIS should provide a Form I-9 version that is tailored to users of an electronic form or system.• Provide a comprehensive list of acceptable documents	<p>the Additional Information field to record specific pieces of information. Employers may need to use this extra space in other ways, so USCIS does not want to crowd it with pre-supposed selections. Employers who create or use electronic Forms I-9 may program this field to capture business process information as noted in the Additional Information instructions, provided they do not collect more or different data than allowed on the USCIS-provided form. IRIS VER will work to provide employers guidance on these possibilities and refer employers to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i)(A); and 274a.2(e)-(i) for applicable regulations.</p> <ul style="list-style-type: none">• USCIS will not separate the reverification and rehire portions of Supplement B at this time. Employers are accustomed to those portions being together, and the employer may require both for one employee. USCIS holds that for those employers who have employees that require documentation of reverification and/or rehire, those employees will likely require multiple reverifications and/or rehires, so employers will appreciate the time and paper savings of being able to update one sheet multiple times. Further, employers who use and/or create electronic Forms I-9 could

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			<p>develop their form to provide as many of these reverification/rehire fields as may be needed as long as the original Form I-9 is valid.</p> <ul style="list-style-type: none">• USCIS has provided clear information on reverification and rehires in the proposed instructions and will ensure its guidance materials provide any clarifications necessary once this proposed form is approved.• The request to add auto-extension dates to Form I-797 notices is outside of the scope of this information collection.• USCIS will not accept the recommendation to go back to a 2-page form as USCIS believes most employers will experience a burden savings from completing and storing a 1-page form, with any supplementary pages only being printed and completed for about 20 percent of employees. USCIS reiterates that electronic forms created by third-party vendors, employer agents, etc., do not have to follow the format of the Form I-9 provided on the USCIS website and cannot collect more or different information. You may split up the sections of the form into multiple “pages” electronically to ensure that electronic signature requirements are met. You may also split up fields to better capture Form I-9 information in your electronic system, provided you do

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			<p>not collect more or different data than allowed on the USCIS-provided form. Refer to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i)(A); and 274a.2(e)-(i) for applicable regulations. USCIS will work to ensure our guidance clearly states this policy.</p> <ul style="list-style-type: none">• USCIS will consider ways to further tailor the Form I-9 to more electronic environments in future information collection reviews. Employers who use and or create electronic Forms I-9 have a good deal of flexibility in how they program their electronic Forms I-9, and may format the Form I-9 to best address its business processes, as long as the resulting form does not collect more or different data than allowed on the USCIS-provided form. Refer to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i)(A); and 274a.2(e)-(i) for applicable regulations. USCIS will work to ensure our guidance clearly states this policy.• USCIS cannot accept this recommendation for the Form I-9 Lists of Acceptable Documents. Other types of documentation deemed acceptable by the Secretary of Homeland Security, including those which are acceptable temporarily, and acceptable document combinations are listed in our guidance documents. USCIS will consider

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			solutions to provide a more central repository for acceptable documentation in the future. Note that we have added language to the Lists of Acceptable Documents referring employers to the other areas where they will find these other acceptable documents.
70.		Commenter: Sentry Insurance Company	
Remote Examination of Documentation	0692 (see attachment)	See the attached comment letter from the Sentry Insurance Company	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p> <p>USCIS further appreciates that employers would prefer more time to review acceptable documents and complete Form I-9, however changing the current three-day window to do so would also require a rulemaking.</p>
71.		Commenter: AT&T Services, Inc.	

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Remote Examination of Documentation Formatting and clarifications	0694 <i>(see attachment)</i>	<p>AT&T appreciated many of the changes we made for the 60-day notice. They continue to request a virtual inspection process using technology such as a Zoom or other video-conferencing options to be considered sufficient to meet the inspection of documentation requirement. They support, as a condition for using this option, employers must agree to participate in E-Verify.</p> <p>They also suggested the following changes:</p> <ul style="list-style-type: none"> • Change the term noncitizen to foreign national in Section 1. • Refer employee to the attestation instructions from the attestations. • Specify in Sections 1 and 2 that the physical inspection must be performed in-person. • Split the information in the Last Name, First Name, Title of the Employer box into three separate fields. • Add the word Employee to the First Day of Work for Pay field. • Add the field names back to each box in the Section 2 document entry areas. • Revise the SSN entry on the List of Acceptable 	<p>Response: USCIS appreciates that many commenters are interested in DHS discontinuing the Form I-9 requirement to examine Form I-9 documentation in person and instead to provide an official process for remote examination of this documentation. USCIS also appreciates the feedback on the benefits of remote examination and the burdens of using authorized representatives. We also are grateful for the suggestions for possible requirements to enhance the security of such a process. USCIS does not have the authority to provide such a process in this information collection revision. This type of change to the Form I-9 process will require a rulemaking.</p> <ul style="list-style-type: none"> • USCIS will not accept this recommendation as DHS has adopted the terminology of noncitizen. • USCIS will add a reference to the attestation instructions from the attestation. • USCIS will not accept this change to add in-person since a recently published rulemaking directly affects physical examination of documents. • USCIS will not accept the recommendation to split the information in the Last Name, First Name, Title of the Employer box into three separate fields. Doing so does not fit with the current layout of the form.

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		Documents to plainly state that SSN cards with restrictions cannot be used.	<p>Employers who use/create electronic Forms I-9 may split up these fields as long as the resulting form does not collect more or different data than allowed on the USCIS-provided form. Employers can refer to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i)(A); and 274a.2(e)-(i) for applicable regulations. VER will ensure that the guidance released once this proposed form is approved clarifies this point.</p> <ul style="list-style-type: none"> • USCIS will not accept the recommendation to add the word Employee to the First Day of Work for Pay field. USCIS believes that this is already clear in the existing text. • USCIS will not accept the recommendation to add the field names back to each box in the Section 2 document entry areas as USCIS believes it is clear that each blank space in each row refers to the label on that row. • USCIS will not accept the recommendation to revise the SSN entry on the List of Acceptable Documents. This language is taken from the Form I-9 regulations at 8 CFR 274a.2.
72.		Commenter: SHRM, the Society for Human Resource Management	
	0695	Enclosed please find the comment submitted by SHRM, the Society for Human Resource Management.	<p>Response:</p> <ul style="list-style-type: none"> • USCIS will not accept the recommendation to go back to a 2-page form as USCIS

Form I-9-010 Revision Responses to 30-day FRN Public Comments

Public Comments (regulations.gov): [USCIS-2006-0068](https://www.regulations.gov/document/USCIS-2006-0068)

30-day FRN Citation (federalregister.gov): [87 FR 40857](https://www.federalregister.gov/documents/2022/07/08/2022-13457/form-i-9-010-revision)

Publish Dates: July 8, 2022 - August 8, 2022

Comment #/Topic	Commenter ID	Comment	USCIS Response
		<p>SHRM recommended the following changes:</p> <ul style="list-style-type: none">• Separate Sections 1 and 2, or enlarge Section 2.• Provide reminder for electronic I-9 users to review the regulations and ensure that any Form I-9 they create or use meets the requirements of that regulation.• Provide a comprehensive list of acceptable documents• Provide more space in the Social Security Number field to allow employees to attest that they are awaiting their SSNs and update this area once they receive their SSNs.• Add multiple checkboxes to the Additional Information field for employers to document both Form I-9 and business process information in Section 2.• Add extra set of List C fields for employees who must show a combination List C document.• Provide a clear definition of First Day of Employment, and make it optional.	<p>believes most employers will experience a burden savings from completing and storing a 1-page form, with any supplementary pages only being printed and completed for about 20 percent of employees. USCIS would like to reiterate that electronic forms created by third-party vendors, employer agents, etc., do not have to follow the format of the Form I-9 provided on the USCIS website and cannot collect more or different information. You may split up the sections of the form into multiple “pages” electronically to ensure that electronic signature requirements are met. You may also split up fields to better capture Form I-9 information in your electronic system, provided you do not collect more or different data than allowed on the USCIS-provided form. Refer to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i)(A); and 274a.2(e)-(i) for applicable regulations. USCIS will work to ensure our guidance clearly states this policy.</p> <ul style="list-style-type: none">• USCIS added this extra warning to the Retaining Completed Forms I-9 section of the instructions.• USCIS cannot accept this recommendation for the Form I-9 Lists of Acceptable Documents. Other types of documentation

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			<p>deemed acceptable by the Secretary of Homeland Security, including those which are acceptable temporarily, and acceptable document combinations are listed in our guidance documents. USCIS will consider solutions to provide a more central repository for acceptable documentation in the future. Note that we have added language to the Lists of Acceptable Documents referring employers to the other areas where they will find these other acceptable documents.</p> <ul style="list-style-type: none">• Employees are not required to enter their Social Security number for Form I-9, unless their employer uses E-Verify. Because it is not required for Form I-9, USCIS will not provide extra space to document that the employee is awaiting an SSN. The E-Verify User Manual provides a process whereby, after Form I-9 completion, the employer waits to create an E-Verify case until that employee receives their SSN. The employee should update Form I-9 to enter their SSN once they receive it.• USCIS will not add multiple checkboxes to the Additional Information field to record specific pieces of information. Employers may need to use this extra space in other ways, so USCIS does not want to crowd it

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			<p>with pre-supposed selections. Employers who create or use electronic Forms I-9 may program this field to capture business process information as noted in the Additional Information instructions provided they do not collect more or different data than allowed on the USCIS-provided form. Refer to 8 CFR 274a.2(a)(3); 274a.2(b)(1)(i) (A); and 274a.2(e)-(i) for applicable regulations.</p> <ul style="list-style-type: none">• USCIS will not add an extra set of List C document entry fields to capture this document combination for certain users as it will take away from the Additional Information space for all users. Employers with employees who present document combinations may enter the second List C document in the Additional Information field.• The regulations at 8 CFR 274a.1 are clear that the definition of hire (also referred to as the first day of employment) means the first day of employment for wages and/or remuneration. Therefore, DHS requires that the date the employee begins work for wages or other remuneration is the date that must be recorded in the First Day of Employment field. If the date entered at the time the employee accepted the job does

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			not match the actual date the employee begins working for pay or other remuneration, the employer must correct that date.