

Form G-1617-012 Revision - Responses to 30-day FRN Public Comments

Public Comments (regulations.gov): [USCIS-2007-0023](#)

30-day FRN Citation (federalregister.gov): [91 FR 57649](#)

Publish Dates: September 10, 2026 – October 13, 2026

Comment ID	Comment Summary	USCIS Response
	Commenter: Andrew Huff	
0106	<p>Re: OMB Control Number 1615-0092; Docket ID USCIS-2007-0023; Agency Information Collection Activities; Revision of a Currently Approved Collection: E-Verify Program (30-Day Notice, 91 FR 57649, September 10, 2026, FR Doc. 2026-18465).</p> <p>I submit the attached comment in my individual capacity. I am an epidemiologist and security engineer who has built and evaluated federal surveillance and data systems; affiliation is for identification only.</p> <p>Summary of recommendations: (1) state in the Federal Register notice itself a one-paragraph description of the revision, drawn from the Summary of Changes posted to the docket on September 10, 2026, since neither the 60-day nor the 30-day notice describes what changed; (2) publish the six activity lines for the approved and proposed collections side by side and state which lines account for the 79,730-hour increase over the approved ICR; (3) publish aggregate, de-identified program statistics as the practical-utility evidence for the collection, including tentative nonconfirmation rates, the share later resolved as work authorized, final nonconfirmation rates among workers later shown to be authorized, time to resolution, and photo-matching error rates, disaggregated with confidence intervals; aggregate rates are not personally identifiable information, and the response matrix's refusal on that ground should be reconsidered; (4) for the new mandatory employee telephone and email element on mismatch cases, state retention, data flows, use limits, and the governing privacy impact assessment; (5) for electronic reverification, state the covered population, expected volume, the basis for the 0.06-hour estimate, and a worker-side burden line or the reason none is needed; (6) state the NIST SP 800-63 assurance levels applied through Login.gov and confirm a migration path to FIPS 203, 204, and 205 consistent with NIST IR 8547; (7) treat the figures in item 3 as the standing practical-utility evidence for this collection, published annually.</p> <p>The full comment, with the statutory standard, the burden reconciliation, and proposed replacement language, is attached as a PDF (7 pages).</p> <p>Disclosure: I have no financial interest in any vendor or contract involving this program, and I was not compensated for this comment.</p> <p>Andrew G. Huff, Ph.D., M.S. Risk Factor Research, LLC, Michigan, USA contact@andrewhuff.com</p>	<p>Response:</p> <p>1&2. USCIS follows the drafting and publishing guidelines of the Office of the Federal Register who presents the requirements under the PRA.</p> <p>3) This information is reported to Congress as requested per statutory requirements. See Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). Pub. L. 104-208, Div C, 110 Stat. 3009.</p> <p>4) DHS appreciates your feedback and suggestions and will consider them. There is a forthcoming privacy impact assessment which will typically include the data elements and records retention schedule. USCIS has reviewed the comment and will update, as necessary, any privacy documentation.</p> <p>5) Electronic reverification is intended to apply only to employees whose employer uses E-Verify. Further, there is no burden on the employee, as only the employer will use E-Verify to perform the reverification based on data the employer includes in the Form I-9, as currently required under federal law. The .06 hour estimate is based on the estimated time it will take employers to use E-Verify in order to run a reverification case. This was based on user testing times.</p> <p>6) The Login.gov integration uses IAL2 and AAL2, as applicable to the systems approved identity-proofing and authentication requirements. This migration must address both cryptography used for new credentials and sessions, and</p>

	https://ciscgov.sharepoint.com/sites/ECNops/RCD/prs/Actions/G-1617-012/30-Day%20Comments/USCIS-2007-0023-0106_attachment_1.pdf	<p>cryptography protecting previously created records. For example, records subject to NARA-approved retention and disposition requirements, including agent and employer records retained for 10 years before permanent purge, may remain dependent on legacy cryptographic keys for their full retention period. Records created in 2026 and encrypted under a legacy 112 bit key may still need to be decrypted, processed, and permanently purged in 2036. Deprecating the legacy algorithm or key in 2035 without a legacy-data migration plan could prevent the system from performing required disposition actions.</p> <p>7) This comment is out of scope for this information collection and did not provide feedback on the nature of the information collection.</p>
	Commenter: WhoPoo App	
0104	<p>Employers openly don't cooperate with EVerify and laugh about it behind your backs. Please cancel the following programs to balance the budget and help save social security and the EVerify program: Many U.S. employers offer some form of tuition reimbursement or educational sponsorship, with about 56% providing tuition assistance for employee education according to the Society for Human Resource Management. However, the availability of employer tuition reimbursement for ESL degrees specifically can vary widely. Companies may be more inclined to invest in employees pursuing english as second language degrees when language skills are essential to job performance, particularly in fields like healthcare, education, or customer service. Enhancing English communication abilities can improve productivity, reduce errors, and support a diverse workforce, which aligns with many organizational goals. Please terminate all ESL support from employers so EVerify can be properly implemented.</p> <p>Next, please terminate ELA and IELCE. You will have to work with the Department of Education to get this done, and it should've been dissolved. The U.S. Federal Government provides significant funding that supports the English language teaching (ELT) profession and multilingual learners of English (MLEs). The U.S. president has proposed a budget for fiscal year 2026 that eliminates this funding and, more urgently, the funding for fiscal year 2025 has yet to be released.</p> <p>The U.S. Department of Education has, as of this publication, not allocated the Congressionally appropriated funding for fiscal year 2025 for several programs, including the funds for English language acquisition (ELA) PreK-12 Public Education and for the Integrated English Language and Civics Education (IELCE) of adult education—funds for the states' fiscal years that begin 1 July 2025. Please make this cut permanent.</p>	<p>Response: DHS appreciates your feedback on the use of E-Verify.</p> <p>The other comments were out of scope for this information collection and did not provide feedback on the nature of the information collection. This extension action is to keep this information collection approved for use under the Paperwork Reduction Act.</p>

	<p>St. Cloud (MN) reported in March 2003 that almost \$200,000 was spent in a nine-month period on a variety of interpreter and translation services. Many of these costs are not reimbursed by insurance.</p> <p>AP, Central Minnesota health workers face challenge of diversity, July 1, 2003</p> <p>Alameda County (CA) Medical Center has 18 full-time interpreters on staff in addition to 19 on-call translators. The county's hospitals are relatively well staffed, even though patients may have to wait a long time for the services. Providing translation services costs the center more than \$1 million a year. That's especially high in light of budget woes that forced the closure last week of two of its clinics. Meanwhile, 22.4 percent of the center's patients have no insurance, 66.4 percent are on Medi-Cal, Medicare or the county's indigent program and less than 5 percent have insurance. Medi-Cal reimburses Highland \$23.77 for a standard visit. The hospital pays its staff interpreters \$18 to \$20 an hour. For other health care providers without staff interpreters, translations services can be very expensive. Contracting such services can range from \$30 to \$130 per hour. Victoria Colliver, Videophones help hospital provide crucial translation services, San Francisco Chronicle, July 5, 2003</p> <p>Over the past five years, the number of Kentucky students enrolled in English as a Second Language (ESL) classes has tripled. Schools have responded by hiring bilingual staff, training teachers in new instruction methods for other cultures, and having teachers visit student's homes. Kentucky is finding out that multilingualism is expensive. Jefferson County Public Schools – which provides 65 ESL teachers and dozens of bilingual assistants, spends about \$5 million a year on ESL students. Bowling Green spends about \$500,000 a year for its ESL population on everything from bilingual dictionaries to bilingual teachers. The state met some of its surging ESL demands with federal emergency gra</p>	
	Commenter: Anonymous	
0023	<p>The information collection notice contains fundamental mathematical errors and structural data flaws. The sum of the individual category hour burdens listed in Paragraph (5) totals 503,855.34 hours, yet Paragraph (6) reports a total annual burden of 2,045,781 hours. This leaves 1,541,925.66 hours (over 75% of the claimed total) completely unaccounted for in the record. USCIS must correct these mathematical discrepancies and issue a corrected burden baseline prior to seeking OMB clearance.</p> <p>Under 5 CFR 1320.5(a)(1)(iv), an agency must provide a specific, objectively supported estimate of burden hours. Multiplying the</p>	<p>Response:</p> <p>USCIS inadvertently did not reflect that the burden for the Queries and Initial Cases line item was under-reported. The correct value should be 235,985 times an estimated response rate of 55 responses per year times .121 hours = 1,570,480 hours. Adding this to the other line items totals 2,045,781.</p>

	<p>reported number of annual respondents by the reported hours per response for each of the six listed sub-collections yields the following sub-totals:</p> <ul style="list-style-type: none"> - New Users Entry (Employer Enrollment): 66,330 respondents multiplied by 2.26 hours equals 149,905.80 hours. - New User Training: 66,330 respondents multiplied by 1.00 hour equals 66,330.00 hours. - Existing User Annual Training: 358,670 respondents multiplied by 0.50 hours equals 179,335.00 hours. - Terms of Service Training: 119,557 respondents multiplied by 0.55 hours equals 65,756.35 hours. - Queries and Initial Cases: 235,985 respondents multiplied by 0.121 hours (approx. 7.26 minutes) equals 28,554.19 hours. - Reverification: 232,900 respondents multiplied by 0.06 hours (approx. 3.6 minutes) equals 13,974.00 hours. <p>Summation Analysis: Calculated Total Burden (Sum of Sub-collections): 503,855.34 hours Agency Stated Total Burden (Paragraph 6): 2,045,781 hours Unexplained Discrepancy: 1,541,925.66 hours The agency's stated total burden is 4x over of the calculated sum of its sub-categories. An agency action that relies on contradictory internal math fails the basic standards of reasoned administrative decision-making under the PRA.</p> <p>USCIS should take the following corrective steps:</p> <ol style="list-style-type: none"> 1 Re-calculate the burden estimates to reconcile the 1,541,925.66 hour gap between Paragraph (5) and Paragraph (6). 2 Clarify whether respondent counts for transaction-based categories ("Queries" and "Reverification") represent unique employer accounts or total annual transactions. 3 Publish a corrected notice in the Federal Register allowing the public a meaningful opportunity to evaluate the updated methodology. 	
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