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August 7, 2015

Ms. Laura Dawkins
Regulatory Coordination Division
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

RE: Public Comment on Enhancements to E-Verify (OMB Control Number 1615-0092)

Chief Dawkins,

Following a review of the proposed changes to E-Verify, the comments below are offered for your consideration.

RE: "Streamlined TNC Process"

- The three additional e-mail communications that would be sent from E-Verify to employees appear to have some overlap with required communication from the employer to the employee. While additional communication may be viewed as desirable it also creates risk that the employee finds multiple notices confusing. For instance, the e-mail notice from E-Verify to the employee informing him/her of a TNC and instructing employee to contact their employer appears to be in addition to the notice/communication that is required of the employer. Thus in our organization it appears likely that the employee would receive an e-mail from E-Verify that includes instruction to contact their employer after such meeting and communication will have already occurred with the employee. This may create confusion for the employee and would result in additional process time required of all parties.

RE: "Final Nonconfirmation Review"

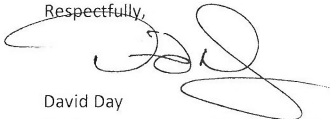
- Similar to the above comment, it appears the employee may receive the same information from both E-Verify and the employer. For instance, since the employer would be required to provide notice of a FNC to the employee, the same notice provided by E-Verify would be redundant. Similar redundancy arises relating to the "FNC review results" step within the FNC review. Again, this appears to be a duplication of effort between E-Verify and the employer and may cause confusion.
- The addition of the FNC process would add to the time required of employers and employees to participate in E-Verify. The additional time required should be considered in the context of overall time and cost required for participation in E-Verify.

RE: "Reverification"

- The supporting statement document often speaks of the requirement of participating E-Verify employers to E-Verify *all new hires*. There is brief & general reference to variance for some federal contractors. As a federal contractor and an institution of higher education this proposed change creates several questions and concerns.
 - As a federal contractor, operating with a MOU that does not require all new hires to be E-Verified, would the proposed changes result in a requirement to re-E-Verify a broader population (beyond those that were originally E-Verified and have expiring work eligibility document(s))?
 - Several years ago, DHS representatives shared that there was an initiative to eliminate the I-9 requirement for employers that E-Verify. Could an update be provided on this initiative?
 - This proposed additional step will create significant burden on both employers and employees, especially large employers that employ significant numbers of aliens authorized to work in the United States. At our institution this proposal will require an additional meeting, beyond the current need to update/complete an I-9, and travel for individuals that would need to re-E-Verify.
 - It appears that reverification in E-Verify will be allowable only during a 3 day period following expiration of the employee's work eligibility document(s). This does not align with I-9 requirements. Additionally this time period would create significant compliance challenges. This compliance challenge is only furthered for large, decentralized employers whose employees are not all at one site in one geographical area of the United States.

In closing, the proposed changes to E-Verify increase administrative burden and cost to participate in E-Verify. Additionally, since the proposed changes further establish direct communication from E-Verify to employees it is suggested that required employer communication responsibilities be modified. With the above points offered for your consideration it is requested that these proposed changes be reconsidered.

Respectfully,



David Day

Sr. Human Resources Representative & I-9/E-Verify Compliance Manager
University of Michigan Human Resources