

The Honorable Chad Wolf  
Acting Secretary  
Department of Homeland Security  
Washington, DC 20528

Ken Cuccinelli, Senior Official Performing the Duties of the Deputy Secretary for the Department  
of Homeland Security  
20 Massachusetts Avenue, NW  
Washington, DC 20529

Matthew T. Albence, Deputy Director and Senior Official Performing the Duties of the Director  
ICE  
U.S. Immigration and Customs Enforcement  
500 12th St., SW  
Washington, D.C. 20536

March 18, 2020

Dear Secretary Wolf, Director Cuccinelli, and Director Albence:

As the Head of Government Affairs for the largest association for human resource (HR) professionals, the Society for Human Resource Management (SHRM), I write you regarding the difficulties and disruptions that SHRM's over 300,000 members are having during the COVID-19 pandemic and the need for flexibility from federal agencies to address these difficulties.

First and foremost, we believe it critical that government entities partner with the business community to address business continuity, public safety, and the economic impact of COVID-19 on employees and employers. Because of the myriad of measures being taken by employers and local governments to ensure the health and safety of their residents, workers and customers we ask that you consider several common-sense, short-term, emergency steps to ease the immigration regulatory requirements on U.S. employers. These include:

#### *Employment Eligibility Requirements*

- Temporarily suspend the Form I-9, and related E-Verify, completion timeframe requirements during this national health emergency (applicable to new hires and also the reverification of employment of existing employees);
- Allow for virtual verification (online video) to capture identity and work eligibility documentation for a temporary period of time and then physically examine the acceptable I-9 documents at a later time, when reasonable to do so;

- Issue guidance indicating a reasonable approach will be taken when considering compliance for new hires as well as for the reverification of employment of existing employees during this time (equating to a pardon for timeliness violations incurred during this time period and assuming good faith completion in all other regards).

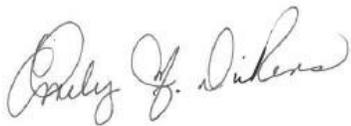
#### *Immigration and Visa Requests*

- Issue immediate notice that copies of originally signed immigration forms may be submitted on all immigration petitions in lieu of original wet signed forms.
- Provide automatic extensions of all Employment Authorization Documents (EAD) and other work authorizations, most urgently for individuals whose hearings and interviews are cancelled.
- Issue waiver of departure deadlines for Visa Waiver Program participants and others to discourage unnecessary international travel.
- Provide a waiver of in-person interviews for employment-based adjustments of status if no fraud or admissibility concern is indicated, especially where field offices are closing.
- As many companies will be asking sponsored foreign nationals to work remotely, either suspend FDNS site visits or instruct officers to conduct further inquiry in the event that a listed worksite is closed, as often this will mean that employees have been directed to work remotely.

SHRM fully respects the Department of Homeland Security's goals of ensuring the efficiency and integrity of the immigration benefit system and seeks in no way to deter the agency from those objectives. That said, we believe the Department of Homeland Security can ensure those objectives while also providing reasonable leeway to employers working to navigate the difficult environment resulting from the COVID-19 pandemic.

We thank you for your consideration of these requests.

Sincerely,



Emily M. Dickens, J.D.  
Corporate Secretary, Chief of Staff &  
Head, Government Affairs  
Society for Human Resource Management