

## Appendix

Excerpts of comments on the draft 2019 Form W-4, many of which were uploaded to regulations.gov ([here](#)) are reprinted below:

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...The draft 2019 Form W-4 is unduly complicated and essentially requires taxpayers to calculate their tax liability.....

The draft 2019 Form W-4 references the IRS withholding calculator as an option to assist the taxpayer. However, relying on the tax calculator depends on the taxpayer's ability to understand their credit eligibility, the amounts of those credits, and the interplay between the elimination of most itemized deductions versus the increased standard deduction under the TCJA. Even with the aid of the IRS calculator, the taxpayer could inadvertently underestimate tax withholding.

An additional burden that may arise is if a taxpayer using the married filing jointly status accurately completes the draft 2019 Form W-4, the allocation of the withholding burden could shift unevenly to the higher earner....

Due to the inclusion of personal information and household income on the draft 2019 Form W-4, employers must request employees to complete the form annually, even though the individual's financial and family situations may remain unchanged. ...

Many employees are likely apprehensive that providing employers with spousal and family income information on the Form W-4 can lead to unfair and discriminatory employment practices....

The Form W-4 has transformed from a long-standing form that was systematically distributed by employers to new employees as part of their initial onboarding process, to the current draft that employers need to calculate their employees' withholdings on an annual basis. This form transition is a significant change with the risks and responsibility of accurate withholding calculations shifted to employers....

Finally, the detailed information on the draft 2019 Form W-4 poses an increased identity theft security risk as information on this draft form is highly coveted by criminals filing fraudulent tax returns and loan applications....--American Association of CPAs ([AICPA](#))

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...We believe that the form as currently drafted raises a number of serious concerns. Namely, it:

- increases, unnecessarily, burden on both taxpayers and employers;
- raises privacy concerns by allowing inappropriate disclosures to employers; and
- creates a substantial risk of underwithholding.

NAEA recommends IRS move back to a design that assigns "points" or exemptions based on questions answerable by the average worker. This system should err in favor of over-withholding to avoid penalties and unexpected balances due. Further, the form cannot require numerous—with a stress on numerous—and complex worksheets. We also recommend the agency find a solution that provides balanced withholding between spouses, instead of weighting withholding toward the higher income spouse. Finally,

the online withholding calculator should follow an interview format similar to private sector software, relying as much as feasible on plain language questions with short explanations when necessary.... – National Association of Enrolled Agents ([NAEA](#))

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...Let's face it - corporations don't want employees to disclose their salaries/wages to other employees - so why should they have access to their employees financial status. It certainly won't benefit the employee - a low paid one won't get a larger increase and a higher paid one risks losing a chance for a bump in salary. What's next - having an employee provide his/her employer with account numbers and passwords to verify the information on lines 5 through 8??? ...Lines 5 - 8 need to be on a worksheet (not to be submitted to the employer). This form is even more complicated than prior years - and as a tax department representative for a corporation, I refuse to be responsible for "correctly" withholding the proper amount of taxes for the employees.... – Anonymous

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...The form and instructions as currently presented raise a few concerns:

- At a staggering 11 pages of instructions, as compared to four pages in 2018, the burden on both employees and employers has unnecessarily increased.
- The new requirement that employees disclose other household income such as investment income and income from other family members raises privacy concerns by allowing inappropriate disclosures to employers.
- The increased complexity of the new form creates a substantial risk of under withholding....

The new form also unnecessarily shifts the burden of proper withholding to the employer by requiring them to calculate their employees' withholdings on an annual basis.... The requirement that employees disclose other family income, including wage and business income of a spouse, is clearly an invasion of privacy. Additionally, there is no clear indication that this information is not a requirement; however, it seems obvious that should the employee wish to have accurate withholding, there is no option other than to disclose this private information....

Employees are not only expected to understand what tax credits they are eligible for, but how to correctly calculate the amount. Employees will be required to forecast income in such a manner as to take into consideration allowable expenses and other deductions. For self-employed spouses, estimating income and deductions presents its own complexities by requiring the self-employed person to have a broad understanding of deductible expenses such as depreciation and other allowable expenses. – National Association of Tax Professionals

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The revised version of the W-4 is very cumbersome and will be an extreme burden on employers. I feel boxes 5, 6, 7, 8 should be provided as a worksheet only. Many employees are not willing to disclose such private information on a form that will be processed by their employers.... —Serena Brooks

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I am a payroll manager and deal with employees completing a W4 on regular basis. The current W4 is difficult at best the new proposed W4 is worse. I expect majority of employees to be confused and give up on trying to complete the worksheet.

I'm further concerned with the section where employees can enter additional personal financial information and then employers use that to figure out what to select for

withholding. This presents two major issues. 1. Employers should not be seeing this information about their employees nor have it in their employee files. 2. Employers should never give tax advice or in this case make decisions on withholding brackets for their employees. – Anonymous

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Legally, employers are advised not to assist employees with how to complete any items in the W-4 that directly impacts the amount of taxes to be withheld for liability issues. The section that has all of the personal information being requested on all income and deductions is not only information that is sensitive to the individual but is not information that an employers should necessarily have access for a host of reasons nor do I see a large number of employees feeling that this is information they necessarily want to divulge outside of their personal accountant let alone their employer. ... the form needs to be made as simplistic as possible .... –Elizabeth Thompson, Fairfax, VA

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Crazily complicated, confusing and a complete invasion of privacy. A big thumbs down! I'll need 6 months worth of training before I can explain this to my employees! – Sally Share

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The new 2019 W4 forms are complicated. In reality, employees will make extreme demands upon employers to explain and to assist them in the preparation of the employees W-4. Employers will also be exposed to claims made by their employees that the employer was negligent in their explanation of the Form W-4 to the employees. In addition to the complexity of the form and anticipated demands upon the employer to explain the Form W-4 to employees, employees will consider disclosure of (a) their nonwage income, (b) their spouses income, (c) their income from other jobs, and (d) their tax credits, all to be an unwarranted intrusion upon their privacy. As a practical matter, employees don't want to disclose their other income to their employers, sometimes out of the concern that such information would be used against them in future compensation negotiations. A better way for the employee to deal with their withholdings is not to force the employee to disclose information required by lines 5 8 of the proposed W-4 to their employer to enable the employer to calculate the employees withholdings, but rather to provide the tools to the employee to calculate their own withholding amounts. The IRS already has a withholding calculator available for employees at [IRS.gov/W4App](https://www.irs.gov/W4App) or that purpose. The employee could calculate their own optimal amount of withholdings from an IRS-provided calculator and then tell the employer how much to withhold from each paycheck. The line 9 [additional withholding] approach exclusively should be used, and the use of proposed lines 5-8 should be eliminated. The employee calculated withholding amount is a better approach to assisting the employee in computing the proper amount of income tax withholding and respecting employee privacy concerns. – Jonette Gibson, Ann Arbor, MI

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Regarding the proposed 2019 w-4, don't think that for a minute that an employee will read beyond the top of the form, let alone sign it or even mark what their filing status is. Some don't even know how many exemptions (when they had to) they should claim or mark exempt when they don't qualify. So, to ask if they are going to claim a child tax credit or to ask to put in what their itemized deductions if any is asking way to much, I wouldn't even know that until the year ends. As I deal with payroll, the forms they fill out and also do taxes, I always have ones that either don't sign, fill in all the information, etc, etc. Most people are totally confused or afraid when it comes to taxes, IRS, etc.

So my suggestion is simplicity, simple, simple, simple. The simplest you make a form the better off you will be. This proposed form is dumb, dumb, dumb. –Anonymous

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...we would like to reiterate our previous recommendation from the first comment period, to extend the effective date to October 1, 2019.... This additional time will allow the Internal Revenue Service to complete general education to the public on the new requirements of filling out the new form W-4. This will assist in reducing the apprehension of the general employee not equipped to make an informed decision for completing the 1040 information required for lines 5 through 8. Furthermore, the extended time will allow the payroll service providers and employers to adequately program and test these changes within their IT systems. – Rimini Street, Pleasanton, CA

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...I think there's universal consensus that your tax forms are overly complex, confusing, and getting worse every year. But it's not your fault, as the tax code simply mirrors our dysfunctional government and its half-baked policies.... –Anonymous

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As a payroll manager for the last 20 years, I can assure you that this new form will only result in significantly less accurate withholdings. Employee's I've encountered will fall into one of three groups. One, seeks to minimize withholdings and deal with the liability when they file. The second, seeks to maximize their withholdings and look forward to a large refund. And the third, prefers to be as accurate with their withholdings as possible and owe nothing and/ or receive no refund. This last group will likely welcome the revised form. The other two will figure out soon enough how to game any new form to their perceived advantage. I don't think anyone will be happy about revealing their spouse's wages to their employer, though. – Tim Foster, Forestville, CA

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