



December 28, 2009

# Fact Sheet:

## **E-Verify Progress in Addressing the Recommendations from the *Findings of the E-Verify Evaluation***

**Moving in the right direction in response to key recommendations.** U.S. Citizenship and Immigration Services (USCIS) welcomes the recommendations for further improving E-Verify from the *Findings of the E-Verify Evaluation* report. USCIS concurs with the overarching recommendations for increasing the effectiveness of E-Verify in reducing unauthorized employment, decreasing the potential for violations of workers rights and discrimination against foreign-born workers, improving operating efficiency and user friendliness, and conducting additional research. Much of our progress in these areas has occurred since the evaluation was conducted and we continue to look for new enhancements to E-Verify in the future. Specifically, we are planning the following:

### **Increasing Effectiveness in Reducing Unauthorized Employment:**

- Adding additional measures to prevent identity and document fraud, such as the incorporation of data and photos from the U.S. Department of State (FY10) and phasing in the verification of state driver's licenses. (FY11)
- Developing analytical tools for identifying and preventing identity fraud found in E-Verify, such as instances of multiple Social Security Numbers. (FY10)
- Strengthening monitoring and compliance efforts through referrals to ICE and development of partnership programs. (FY10 and FY11)

### **Decreasing the Potential for Violation of Workers Rights and Discrimination**

- Continuing to decrease the number of workers who must follow-up with the government to update their records through algorithms and other data-matching techniques and addition of other data sources, such as international student data and data on individuals with temporary humanitarian status. (FY10 and FY11)
- Developing a portal for employees to check their own work authorization independent of E-Verify. (FY10 and FY11)
- Launching a bilingual training video that employers, employees and advocates can use to learn about employee rights. (FY10)
- Validating employer data in the enrollment process to ensure that the program is not misused by unauthorized entities. (FY10)
- Launching an employee hotline for workers who are run through E-Verify to call for support and assistance about their case. (FY10)
- Continuing to expand and strengthen monitoring techniques to identify instances where E-Verify may be used for pre-screening, selective verification of workers, or when employees may not be informed that they were run through E-Verify. (FY10)



### **Improving Operating Efficiency and User Friendliness**

- Launching a redesigned E-Verify to include better navigation tools, a case alert functionality, and additional features that mask the entry of Social Security Numbers to enhance privacy protections. (FY10)
- Phasing in a user-friendly language initiative to change many technical terms currently used by the program that aren't well understood by employers and employees, such as "Tentative Non-Confirmation." (FY10 and FY11)
- Redesigning training manuals and tutorials to make them simpler to read and reference and continuing to require refresher training. (FY10 and FY11)
- Reorganization of the E-Verify website to include more content that is easier to find. (FY10)
- Instituting comprehensive training of a dedicated cadre of Tier I telephone staff to handle E-Verify calls at the USCIS National Customer Service Center and development of an outbound call center to improve customer relationship management. (FY10)
- Seeking user input for improving and certifying Designated Agents and Web Services users of E-Verify. Designated Agents are entities that run E-Verify queries on behalf of other companies. Web Services users are employers who develop their own software to interact with E-Verify. (FY10 and FY11)

### **Conducting Additional Research**

- Studying and reviewing the efficacy of identity assurance, biographic verification and biometric techniques in E-Verify. (FY10 and FY11)
- Continuing to assess progress in a current evaluation that focuses on E-Verify usage in Arizona where E-Verify is mandatory and a survey on non-users to determine why they're not using E-Verify. (FY10 and FY11)
- Considering, where possible, recommendations for further research that does not require a legislative change. For example, a test pilot requiring employers to submit cases prior to the start of work may not be feasible due to authorizing statute, but the program would consider studying whether seasonal trends affect E-Verify results or an expedited mismatch resolution process for employees.

**Prior improvements that address recommendations from the *Findings of the E-Verify Evaluation*.** The E-Verify program has already made great strides in improving E-Verify's effectiveness, particularly with reducing the percentage of work-authorized employees who need to follow up with the government, and improvements in detecting identify theft.

### **Increasing Effectiveness in Reducing Unauthorized Employment:**

- In September 2007, the E-Verify program launched a photo-matching tool to detect immigration document fraud. The feature has vetted over 300,000 photos with employers and detected more than 1,000 instances of fraudulent immigration documents that employees attempted to use to show work authorization.



- In December 2008, USCIS signed a Memorandum of Agreement with Immigration and Customs Enforcement (ICE) that specifies the process for referring violators of the program to ICE Worksite Enforcement.
- On April 3, 2009, an interim final rule took effect that no longer accepts expired documents for the Employment Eligibility Verification Form I-9, which has improved the security of the verification process and reduced potential for fraud.
- In June 2009, E-Verify launched a Compliance Tracking and Management System and has sent over 1,600 non-compliance letters and made over 100 calls to employers to increase system compliance.

### **Decreasing the Potential for Violation of Workers Rights and Discrimination against Foreign Born Workers with Employment Authorization**

- To reduce the instances where naturalized and derivative citizens received mismatches because they did not update their citizenship status with the Social Security Administration (SSA), USCIS started checking naturalization data in May 2008 and U.S. passport data in February 2009 to avoid SSA mismatches. Naturalized and derivative citizens who still receive a mismatch now have the option of calling USCIS rather than visiting a Social Security Administration (SSA) office. These enhancements reduced overall mismatches for naturalized and derivative citizens by 40 percent and decreased walk-ins to SSA by 56 percent.
- Since the evaluation was conducted, the E-Verify program now authorizes 96.9 percent of all queries immediately or within 24 hours. This represents an improvement over the 96.4 percent statistic previously reported for the April through June 2008 time period.
- Gains in improving the percent of work authorized individuals immediately and reducing the percentage of workers who must follow up with the government are due to the following efforts:
  - A typo “pre-check” page to prevent inaccurate submissions was instituted in September 2007.
  - E-Verify also added Real Time Arrival data in May 2008 and instituted a check for European date format in December 2009 to further prevent mismatches.
- E-Verify has been actively monitoring for potential instances of prescreening or using E-Verify on employees without their notification and has reached out to hundreds of employers.
- E-Verify has run bilingual radio and print advertising to inform workers of their rights, particularly in states where E-Verify is mandatory for some or all employers. E-Verify has a multilingual employee resource webpage with fact sheets in nine different languages.
- The photo tool was enhanced in December 2009 to include a watermark to prevent unauthorized copying of photos and the feature was expanded to Designated Agent and Web Services users.



### **Improving Operating Efficiency and User Friendliness**

- In FY09, the program streamlined some of its registration pages to make the process simpler and easier to navigate and understand.
- In FY08 and FY09, the program reached out to users to help develop and validate a new set of terms for E-Verify to use to make day-to-day use easier to understand.
- In F09, the program released an updated manual that includes less text and more graphics to guide the user through important program rules.
- In FY09, E-Verify launched a separate registration process for Federal contractors so they could manage their accounts and notify the Department of Homeland Security of which option they selected to be in compliance with the E-Verify contractor regulation.
- In FY09, the program conducted 125 live presentations, attended 15 conferences, and conducted 140 live Webinars reaching more than 3500 employers through our free, online Webinars that new and current employers can register for on our E-Verify website.
- E-Verify employs User Acceptance Testing (UAT) for all of its major releases.

**A benchmark for progress.** The evaluation provides a benchmark against which the E-Verify program can measure our current and future progress, as the evaluation was conducted prior to a series of key program improvements either already implemented by E-Verify, or that we plan to adopt in the near future.