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E-Verify Talking Points

Find out What You Need to Know About This Important Program!

- **What is E-Verify?**
 - Overseen by United States Citizenship and Immigration Services (USCIS), E-Verify is a voluntary, online, electronically operated system that allows employers to quickly check the work authorization status of their new hires. The Department of Homeland Security (DHS) and the Social Security Administration (SSA) partner to operate E-Verify. (USCIS, [Getting Started](#))
 - E-Verify works by allowing employers to electronically compare information taken from the I-9 Form (the paper-based form currently used to verify the work eligibility of all new hires) against more than 425 million records in SSA's database and more than 60 million records in DHS immigration databases. (Id.)
- **Why should employers use E-Verify?**
 - Participation in E-Verify ensures that an employer is only hiring workers that are authorized to work in the United States. (USCIS, [Why E-Verify?](#)) E-Verify also protects jobs for authorized U.S. workers. (USCIS,

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[Why Should I Consider Participating in E-Verify?](#)

- E-Verify utilizes special safeguards to ensure that employees are not discriminated against. Additionally, the program ensures that employees' privacy and civil liberties are protected. (USCIS, [Why E-Verify?](#))
- E-Verify is fast, easy to use, and non-burdensome. With just one click, employers can match a new hire's Social Security number and other I-9 Form information. (Id.)
- E-Verify virtually eliminates Social Security mismatch letters. (USCIS, [Why Should I Consider Participating in E-Verify?](#))
- E-Verify improves the accuracy of wage and tax reporting. (Id.)
- E-Verify is provided by the federal government free of charge. (USCIS, [Why E-Verify?](#))

● **How well does E-Verify work?**

- 99.6% of all employees who are authorized to work in the United States are verified through E-Verify without receiving a tentative non-confirmation (TNC) or having to take any type of corrective action. ([USCIS Press Release](#), January 8, 2009)
- Non-confirmations occur almost exclusively because:
 - The employee is not authorized to work in the United States ([Testimony of Jonathan Scharfen](#), Former Director, USCIS, Before the House Judiciary Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law);
 - The employee has failed to update his or her records with SSA (for example, to reflect changes in name or citizenship status) (Id.);
 - The employer made an error when entering information into the E-Verify system. (Id.)
- E-Verify returns initial verification information to the employer within 3 to 5 seconds. (USCIS, [Why E-Verify?](#))
- USCIS estimates that it takes an average of 12 minutes to learn about, complete, assemble, and file the I-9 form. Additionally, employees are not required to disclose their Social Security number on the I-9 form (as they are with employers who use E-Verify). Finally, employers who rely only on the I-9 form must retain the forms, meaning that the information submitted within the forms is not compared against the SSA and DHS databases. (USCIS, [Form I-9](#), Employment Eligibility Verification)

- **How widely is E-Verify used?**
 - More than 100,000 employers are currently enrolled in E-Verify, and approximately 1,000 new employers enroll in the program every week. ([USCIS Press Release](#), January 8, 2009)
 - Online queries of the E-Verify system are already approaching three million so far in 2009. This is nearly half the 6.6 million E-Verify queries for all of 2008, which was itself more than double the use of the system in 2007. If this growth rate continues, the number of E-Verify queries for 2009 will be 442% greater than in 2007. ([Center for Immigration Studies](#), March 8, 2009)
 - In 2008, about one in eight new hires nationwide was checked through E-Verify. If E-Verify usage continues to grow as projected, perhaps one-quarter or one-third of all new hires will be verified through the system. (Id.)
 - Currently, the federal government does not require employers to enroll in E-Verify. (USCIS, E-Verify) However, use of E-Verify is quickly gaining traction:
 - 13 states have enacted laws encouraging or requiring use of E-Verify for state contractors, state employees, and, in some cases, for all employees. States included are Arizona, Colorado, Georgia, Idaho, Minnesota, Mississippi, Missouri, North Carolina, Oklahoma, Rhode Island, South Carolina, Tennessee, and Utah. ([National Conference of State Legislatures](#), January 12, 2009)
 - In Arizona, where all employers are required to enroll in E-Verify, the system has been adding more than 500 new employers per week. ([Testimony of Michael Chertoff](#), Former Secretary, DHS, Before the U.S. House of Representatives Committee on Homeland Security, July 17, 2008)
 - On June 6, 2008, President Bush issued an executive order requiring all federal contractors to use E-Verify for new and existing hires. ([White House Press Release](#), June 9, 2008) This order was scheduled to become effective January 15, 2009, but the Bush Administration - without explanation - delayed its start date until February 2009. (See [FAIR's Legislative Update](#), January 12, 2009) The Obama Administration has announced that it will delay the order's implementation even further, to May 21, 2009. ([Washington Post](#), January 30, 2009)

What has the Obama Administration

said about E-Verify?

- o As Governor of Arizona, DHS Secretary Janet Napolitano signed a law requiring that all new hires be confirmed through E-Verify. More recently, Napolitano has stated her support for E-Verify and dismissed the program's critics: "Some of the arguments that are made about how it works or does not work don't carry much water with me. I've already used it for several years. It works." ([The Daily Record](#), March 31, 2009)
- o In his Fiscal year 2010 budget request, President Obama has asked for \$112 million for E-Verify. (FY2010 Budget Request Appendix: [DHS](#)) In a "Budget Overview" document, the White House notes that "funding of \$110 million is provided to continue expansion of E-Verify." ([DHS Budget Overview](#))

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