



E-Verify: The Facts

- How accurate is E-Verify?** According to U.S. Citizenship and Immigration Services, which manages E-Verify within the Department of Homeland Security:
 - The current accuracy rate of E-Verify is better than **99.5 percent**.
 - 97.4** percent of employees are automatically confirmed as authorized to work ("work authorized") either instantly (mere seconds) or within 24 hours, requiring no employee or employer action.
 - 2.6** percent of employees receive initial system mismatches.
 - 0.3** percent of employees need to contact the Social Security Administration or USCIS to correct mistakes on their records – an action also necessary to receive either retirement or immigration benefits
 - The remaining **2.3 percent** of employees are found not work authorized and are terminated by their employers (most of these simply fail to show up for work again rather than waiting to be fired). Not surprisingly, this number corresponds closely to an estimate by the Pew Hispanic Center that illegal aliens hold 4.9 percent of U.S. jobs.
 - These [statistics](#) are based on E-Verify cases in Fiscal Year 2009 (October 2008 through September 2009)
 - Opponents of E-Verify have been unable to find a single instance in which an employer relying on an erroneous E-Verify non-confirmation terminated a U.S. citizen.
- Can employees who steal an identity defeat E-Verify?**
 - The identity theft loophole—where one person steals or purchases the name and Social Security number of another person—is still a problem for E-Verify. Since the program matches name and Social Security number, an individual will be confirmed as work authorized as long as he is using the name that matches the Social Security number. This means that some number of illegal aliens has gone through E-Verify undetected because they presented a stolen identity to the employer.
 - DHS has taken a significant step toward closing this loophole by including photos from immigration documents in the system, so an employer verifying a noncitizen employee will be able to compare the photo on the immigration document presented by the employee with the photo that comes up on his computer screen during the verification process.
 - The Social Security Administration could close the loophole almost entirely if it would simply notify workers with more than one employer making contributions to their Social Security account numbers and ask them to report if they were not actually working for each of those employers. However, SSA has a policy of not informing the victims of identity theft.

- A more costly solution would be for DHS to incorporate the photos of citizens from passport and motor vehicle files into E-Verify, in the same way it has incorporated photos from immigration documents. DHS has been exploring this option, but has yet to finalize agreements with the State Department and state DMVs.

3. Can the E-Verify system handle the rapid expansion required to make the system mandatory?

- The number of employers using E-Verify voluntarily has grown from 1,533 employers in 2005 (when it was made available to employers nationwide) to [more than 238,000](#) as of December, 2010.
- More than 1,000 new employers enroll [every week](#).
- In FY 2007, a total of 3.27 million employment verification queries were run through E-Verify. That number more than doubled to 6.6 million in FY 2008 and grew to more than 8.7 million in FY 2009, despite a 20 percent drop in new hires in the past two years. ([Congressional testimony of Janice Kephart, July 2009](#)).
- Over 16 million E-Verify queries were run in FY [2010](#).
- As of September of 2008, about 11 percent of all new hires nationwide were being verified through E-Verify. As the Presidential Order requiring Federal contractors to use the program is applied nationwide, that number would rise to about 20 percent of all new hires.
- Arizona, Mississippi, and South Carolina have passed laws that require all employers to use E-Verify; Colorado, Florida, Georgia, Idaho, Minnesota, Missouri, Nebraska, North Carolina, Oklahoma, Utah, and Virginia require certain employers (e.g., state contractors) to use E-Verify; Tennessee law encourages all employers to use E-Verify; and Pennsylvania prohibits the use of illegal immigrant labor on projects but does not encourage or require E-Verify.
- Throughout this rapid growth in users, E-Verify has become more accurate, more user friendly, and faster. DHS has made significant improvements to the system by including additional information, such as the photos of work-authorized non-citizens.

4. How do employers like E-Verify?

- A September 2007 evaluation of E-Verify by Westat reported that:
 - 95.8 percent of employers surveyed agreed that using E-Verify was not too much of a burden on their staff.
 - 90.6 percent of employers agreed that E-Verify is an effective tool for employment verification.
- The National Federation of Independent Business has endorsed the SAVE Act in the 111th Congress. In its letter of support for the SAVE Act, the NFIB specifically endorsed the provision calling for phased-in, mandatory use of E-Verify by all U.S. employers.

1. What is the status of E-Verify?

- The FY2010 Homeland Security Appropriations bill extended the authorization of E-Verify through September 30, 2012.
- As of Sept. 8, 2009, E-Verify is required for all federal contractors holding a 120 day or longer contract and a value above \$100,000. Subcontractors are required to participate in E-Verify if they provide services or construction with a value of more than \$3,000.
 - A challenge to the Executive Order was struck down in Federal Court. The Judge found that "nothing in IIRIRA explicitly prohibits the executive branch from using E-Verify for current employees" and if Congress intended for it to be illegal to use E-Verify for current employees, then Congress "should have made that clear under IIRIRA."