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U.S. Citizenship and Immigration Services

About the Program

E-Verify is an electronic program through which employers verify the employment eligibility of their employees after hire. The program was authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). In short, employers submit information taken from a new hire's Form I-9 (Employment Eligibility Verification Form) through E-Verify to the Social Security Administration and U.S. Citizenship and Immigration Services (USCIS) to determine whether the information matches government records and whether the new hire is authorized to work in the United States.

E-Verify is administered by the U.S. Department of Homeland Security, USCIS, Verification Division, and the Social Security Administration. The USCIS Verification Division is dedicated to providing program support, administering unparalleled customer service to both employers and workers, developing innovative technological solutions, and performing community outreach to further the mission of E-Verify. By extension, we facilitate federal agency and employer compliance with U.S. immigration law.

Throughout this section you can find more in-depth information on the E-Verify Program including news, statistics, usage guidelines and other useful Information, including information about how to use the program appropriately and in a non-discriminatory manner.

- What's New
- E-Verify Pressroom
- Statistics and Reports
- History and Milestones
- E-Verify Logo Usage Guidelines
- Our Commitment to Privacy
- Information for Employees
- Information for Employers and other E-Verify participants

Last updated: 05/25/2010

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Statistics and Reports

Statistics

Statistics are based on fourth quarter FY 2008 (July 2008 through September 2008) E-Verify program transactional data compiled by Westat.

Employees automatically confirmed as work authorized
96.9 percent of employees are automatically confirmed as work authorized either instantly or within 24 hours, requiring no employee/employer action.

- This represents an improvement over the 96.1 percent statistic previously reported for the April through June 2008 time period.

Employees receiving initial system mismatches
3.1 percent of employees receive initial system mismatches (tentative non-confirmations - TNCs)

- 0.3 percent of employees who receive initial mismatches later confirmed work authorized after contesting and resolving the mismatch.
- 2.8 percent of employees receive final non-confirmations (FNCs)

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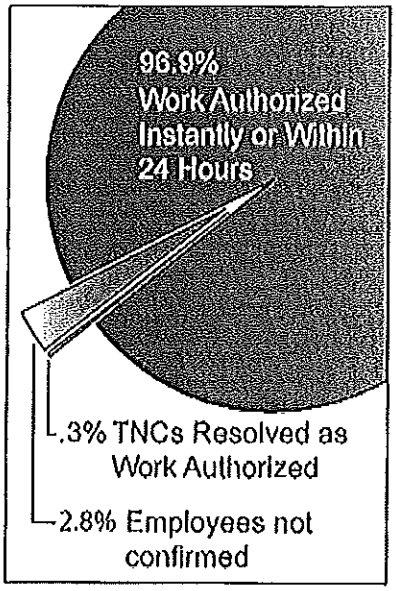

Reports

In order to continue to improve E-Verify operations and efficiency, several government and independent reports are conducted to provide information to guide the direction of the program.

- Westat Evaluation of the E-Verify Program: USCIS Synopsis of Key Findings and Program Implications (January 2010)
- Findings of the E-Verify Program Evaluation (December 2009)

How Enhancements Continue to Improve the Accuracy and Efficiency of E-Verify

Westat, an independent research firm, recently analyzed E-Verify cases and reports two positive developments.

First, Westat's improved methodology for detecting and deleting duplicate cases has led to more accurate E-Verify performance statistics: the previously reported 96.1 percent rate for automatic confirmation of work authorization has been revised upward to 96.4 percent for the April through June 2008 time period.

Second, the July through September 2008 data demonstrates that 96.9 percent of cases were automatically confirmed as work authorized.

E-Verify's already low mismatch rate dropped further when the program obtained access to U.S. Citizenship and Immigration Services' (USCIS) naturalization database records in May 2008. This access increased E-Verify's ability to automatically verify naturalized citizens' status, reducing citizenship-related mismatches by 39 percent. In addition, providing the option for employees who received a citizenship-related mismatch to call USCIS directly to contest (in lieu of visiting a Social Security Administration office) has reduced SSA field office walk-ins for such mismatches by 56 percent.

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USCIS is committed to improving the instant verification rate for those eligible to work in the United States as well as working to prevent false positives and negatives in the system. We continue to work to implement several enhancements to the E-Verify program to achieve this goal. Recently, the inclusion of passport data (February 2009) further reduced citizenship-related mismatches for naturalized and derivative citizens.

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What's New

E-Verify Web Interface Redesign

U.S. Citizenship and Immigration Services launched a complete redesign of the E-Verify Web Interface that enhances its usability, security, accuracy and efficiency. The newly redesigned E-Verify features a clean and modern design, easy and intuitive navigation, and clear and simple language. A new home page, a reimagined case alerts feature, improved case management and a streamlined tutorial are among the dozens of enhancements we've made to improve the E-Verify user experience.

Check out the E-Verify Redesign section of the website to learn more about what's changed.

USCIS to Issue Redesigned Green Card

Today U.S. Citizenship and Immigration Services will begin issuing a redesigned Permanent Resident Card (Form I-551) – commonly known as the "Green Card." The new card will return to its original color – green – and include more security features.

Previous versions of the Permanent Resident Card with a current expiration date, as well as older versions that do not contain an expiration date, will remain valid. Beginning on May 11, new lawful permanent residents and those who apply to renew or replace their current card will receive the redesigned card.

E-Verify Civil Rights Initiatives

USCIS Director Alejandro Mayorkas announced three new E-Verify civil rights initiatives: videos specially designed for employers and employees; a dedicated telephone number created to respond to employee inquiries; and a memorandum of understanding between USCIS and U.S. Department of Justice, Civil Rights Division.

Westat Report: E-Verify Evaluation Shows Significant Progress

An evaluation of E-Verify program performance found that E-Verify has made significant progress towards meeting its stated goals: reducing the employment of unauthorized workers, protecting privacy and workers' civil liberties, reducing discrimination, and preventing undue burden on employers.

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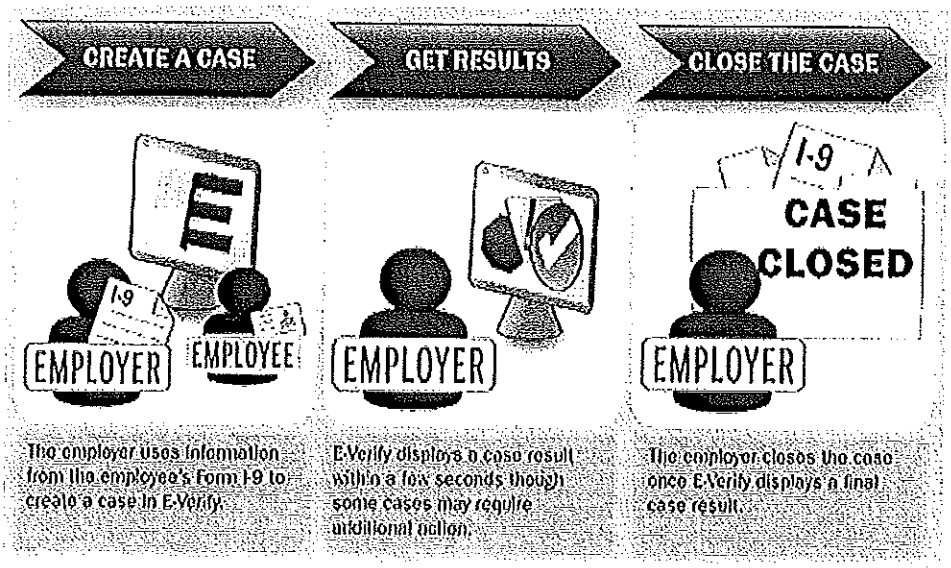
The Verification Process

Overview of the Verification Process



Using E-Verify to verify the employment eligibility of employees is a three-step process.

Create a Case

Before an employer can create a case in E-Verify, both the employer and employee must complete the Employment Eligibility Verification form (Form I-9). All U.S. employers, regardless of whether they participate in E-Verify must complete Form I-9 no later than 3 business days after the employee begins work for pay. Information about the employee from Form I-9 then serves as the foundation for an E-Verify case, which must be created also no later than 3 business days after the employee begins work for pay.

E-Verify guides the employer through a series of questions, which follow Form I-9, beginning with the employee's citizenship attestation, document type(s), then biographical information including name, date of birth, Social Security number and Alien or I-94 number (if a noncitizen). In some cases, the document number and expiration date are also required.

If E-Verify cannot initially match the information, the employer will be prompted to review and correct the information if necessary. Otherwise, E-Verify will display an initial response within three to five seconds.

Get Results

In most cases, E-Verify will instantly verify the employee's work authorization. If E-Verify returns an "Employment Authorized" response, the employer can continue to the last step in the verification process and close the case

Sometimes, E-Verify cannot immediately confirm the employee's work authorization and may require the employer or the employee to take action. In these cases, the employer will see one of the following responses on the employee's verification results screen:

- **DHS Verification in Process:** Sometimes, E-Verify's automated search of government records cannot immediately verify employment authorization, and a manual search is required. In this case, E-Verify will return a "DHS Verification in Process" response. The employer must check E-Verify until the employee's case is updated, which usually happens within 24 hours, though it may take as long as three business days. When the employee's case is updated, E-Verify will return either an "Employment Authorized" or "Tentative Nonconfirmation" response.
- **Tentative Nonconfirmation:** If the employee information does not match government records, the employer will see a tentative nonconfirmation (TNC) response. Visit the "Tentative Nonconfirmation" page in this section for more information.

To prevent unnecessary TNCs, the employer must carefully review all entered information for accuracy. Should the employer have made a typographical error or entered incorrect data, the employer should close the case and create a new case for the employee with the correct information.

Close the Case

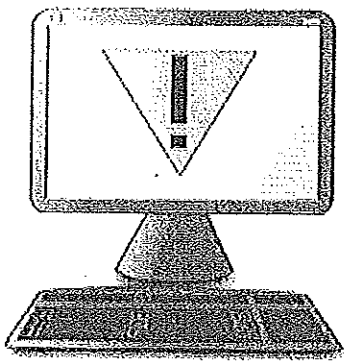
All E-Verify cases must be closed by the user in E-Verify when a final verification result is received, regardless of the result. Closing cases is very important because it helps E-Verify maintain statistics on program usage and outcomes.

E-Verify will ask if the employee is still working for the employer and will then instruct the employer to choose the reason why the case is being closed. Once the case is closed, the employer must either record the case verification number on the employee's Form I-9 or print the case details and keep it on file with the employee's Form I-9.

Last updated: 06/16/2010

U.S. Citizenship and Immigration Services

Tentative Nonconfirmations



E-Verify works by comparing the information employees provide on the Employment Eligibility Verification form (Form I-9) against millions of government records. Generally, if the information matches, the employee receives an "Employment Authorized" response in E-Verify. If the information does not match, the employee is given an opportunity to resolve the problem. The employers must understand and follow the proper procedures in E-Verify, which are designed to ensure fair treatment and due process for all employees.

Most employees have their employment authorization confirmed during the E-Verify initial verification process. Occasionally, E-Verify cannot instantly confirm employment authorization because a manual review of the records in government databases is necessary. For those cases requiring manual review, E-Verify will first return a "DHS Verification in Process" response, and will then usually provide an initial verification result within 24 to 48 hours.

In some cases, the information from an employee's Form I-9 does not match government records and E-Verify will display a temporary case status that may require additional action. In these cases, E-Verify will return a response called a "Tentative Nonconfirmation (TNC)." A TNC response means that the Social Security Administration (SSA) and/or the U.S. Department of Homeland Security (DHS) could not confirm that the employee's information matches government records. It does not mean an employee is unauthorized to work or is an illegal immigrant as there are legitimate reasons why an employee may receive this result.

There are several types of TNCs, and the type displayed in E-Verify depends on which government agency is involved and the cause for the mismatch:

- **SSA Tentative Nonconfirmation**: This response indicates that the employee's information could not be verified by SSA. The employee must be notified of the TNC response and referred to SSA.
- **DHS Tentative Nonconfirmation**: There are two types of "DHS TNCs." The first type means that DHS was unable to verify employment eligibility and the employee is instructed to call DHS to find out how to resolve the discrepancy.

The second type is caused by a photographic mismatch, meaning the employer indicated that the photograph displayed by E-Verify did not match the photograph on the employee's document. If the employee contests this type of TNC, the employer must either scan and

upload an image of the document or send a copy of the document via express mail at the employer's expense.

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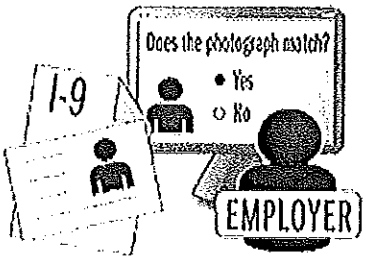
Photo Matching



E-Verify's photo matching is an important part of the employment eligibility verification process. It requires the employer to verify that the photo displayed in E-Verify is identical to the photo on the document that the employee presented for section 2 of Form I-9.

Reminder: A photo displayed in E-Verify should be compared with the photo in the document that the employee has presented and not with the face of the employee.

Photo matching is activated automatically if an employee has presented Form I-551, Permanent Resident Card, or Form I-766, Employment Authorization Document, with his or her Form I-9. Other documents with photos (such as a driver's license) will not activate photo matching. Also, the photo might not display if E-Verify is unable to locate it in U.S. Department of Homeland Security (DHS) records. In that situation, the case will automatically continue as normal and skip photo matching.

- Employees have the right to present any acceptable documentation to complete Form I-9. Photo matching does not require new employees who are noncitizens to present Permanent Resident Cards or Employment Authorization Documents during the Form I-9 process. Employers must accept the documents the new employee chooses to present as long as they appear to be genuine and relate to the person presenting them. Otherwise, employers may violate federal law prohibiting verification-related discrimination.
- E-Verify users may not resubmit cases for existing employees who were hired before photo matching was implemented, even if those employees presented Permanent Resident Cards or Employment Authorization Documents during their Form I-9 completion process.
- If an employee presents a Permanent Resident Card or Employment Authorization Document as the verification document, the employer must make a copy of that document and keep it on file with Form I-9.
- If the photo displayed on the E-Verify screen does not match the photo on the employee's document, the employee will receive a "DHS Tentative Nonconfirmation" (TNC) and must be given the opportunity to correct the problem. If the employee chooses to contest the TNC, the employer must either attach and submit electronically a copy of the employee's photo document or mail a copy of the employee's document to DHS via express mail at the employer's expense.

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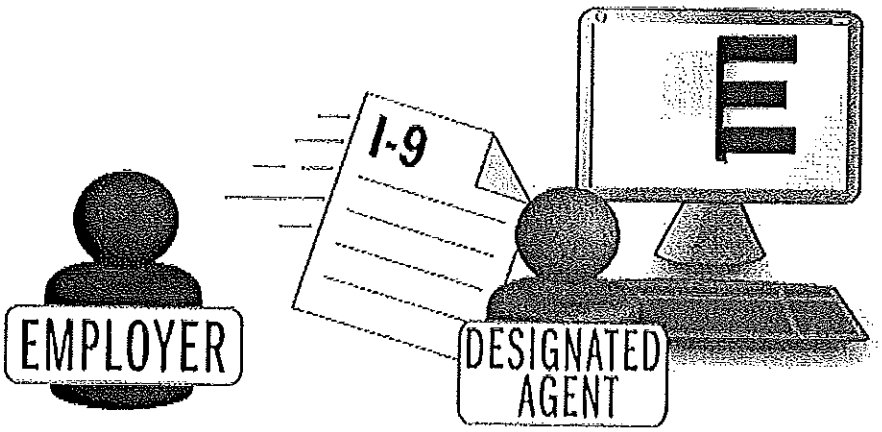
Using a Designated Agent

Designated agents, also called E-Verify service providers, use E-Verify to confirm the employment eligibility of another company's employees. Designated agents frequently offer E-Verify along with other services, such as background checks, legal assistance and accounting services. Designated agents may also handle payroll and other administrative tasks that include managing the Employment Eligibility Verification (Form I-9) process.



While the U.S. Department of Homeland Security offers E-Verify as a free service, designated agents may charge fees to their clients for using E-Verify. We do not certify designated agents nor do we regulate the fees they charge.

Companies that choose to participate in E-Verify have the option to have a designated agent use E-Verify on their behalves. Companies big and small use designated agents for many reasons, including

- They do not have the equipment, such as a computer or Internet access, to use E-Verify themselves.
- They do not have the staff or the time to use E-Verify.
- They outsource their Form I-9 process or use an employment verification service that also offers E-Verify.

If you have decided to participate in E-Verify and want to use a designated agent, your designated agent will assist you in getting started.

Your designated agent must enroll your company in E-Verify as a client company under its E-Verify designated agent account.

Last updated: 04/15/2010