WebMemo

E-Verify Self Check: A Solid Step Forward

Jena Baker McNeill

On March 21, Secretary of Homeland Security Janet Napolitano introduced a new component of the E-Verify system called Self Check. This free, voluntary service would allow individuals to log in to a system to verify their immigration status and address any problems with their work status, including outdated information or typographical errors. Self Check is a positive step in improving E-Verify accuracy and helping employers to ensure that their workforce is legally able to work in the United States.

Employment remains one of the biggest drivers of illegal immigration in the United States. Therefore, it is essential that Congress and the Administration support E-Verify and other work-site measures to enforce the law and decrease the incentive to come to the United States illegally.

E-Verify: A History of Success. The E-Verify system was deployed as part of the Bush Administration's efforts in 2007 to strengthen internal verification of federal immigration laws. E-Verify allows employers to confirm an employee's ability to work legally in the United States.

The employer enters the candidate's information into the system, and it is compared against information from the Social Security Administration (SSA) and Department of Homeland Security (DHS) databases. The result is either a confirmation that the prospective employee is a legal citizen or a non-confirmation. Non-confirmations can be resolved if an employee can later prove that there was a problem with the information in the databases. If any of the outstanding problems are not resolved, however, a final non-confirmation is issued and the employer is not allowed to hire the worker.

According to the U.S. Citizenship and Immigration Services (USCIS), more than 250,000 companies currently use E-Verify. Employers ran 16.5 million checks in 2010 alone. While E-Verify is an optional program for most businesses, it is mandatory for federal contractors and subcontractors.

The program is not only very popular, but also highly accurate. According to internal audits as well as private evaluations of the program, E-Verify has proven to be 99 percent accurate at identifying those who can work in the United States.

Self Check: Building on the Legacy. Since E-Verify's inception, the Department of Homeland Security has continuously sought to refine the program. According to the Government Accountability Office, from 2007 to 2009 USCIS reduced the number of immigration statuses that could not be validated by E-Verify from 8 percent to 2.6 percent. The program also provides a process to correct erroneous initial findings, ensuring that those who can work legally are given an opportunity to resolve the discrepancy within a short period of time.

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A majority of the initial invalid non-confirmations are the result of simple errors, such as misspelled names, missing date of birth, and missing naturalization data, in the SSA and DHS databases. Self Check, however, is intended to rectify those issues by building in an extra layer of verification. The program will initially be accessible in Arizona, Colorado, Idaho, Mississippi, Virginia, and Washington, D.C., but officials hope to have it available in all 50 states by the end of the year. Self Check will prove to be a vital force multiplier in the E-Verify system because:

- *It allows individuals to check their own information.* Given that clerical errors make up a majority of all erroneous tentative non-confirmations, the ability of individuals to check their own information is an important addition to the E-Verify system. According to a DHS statement, this new system "allows each user to identify data inaccuracies—which often range from typographical errors to unreported name changes." This will boost overall confidence in the E-Verify system and empower the individual in a new way.

- *It is a cost-effective solution for increasing accuracy.* The Self Check component of E-Verify is free for all individuals. By addressing any potential mismatches before the actual background checks, Self Check promotes efficiency and helps to streamline the overall application process. E-Verify is already a cost-effective program. The software is free to use, and the process is very affordable. DHS agents process the background checks for private businesses at a cost of only $2 to $15 per employee, depending on the size of the business.

- *It is secure.* DHS officials have stated that Self Check will have built-in safeguards to protect against both identity theft and fraud. An identity assurance quiz consisting of personal questions is required before running the Self Check program.

A Path Forward. One of the weaknesses of E-Verify alone is that it cannot detect situations of identity theft where an individual uses another person's legitimate identity to find work in the United States. It is therefore essential that E-Verify be combined with other work-site enforcement measures. Other efforts that should be supported include the following:

- *Promote interior enforcement efforts.* The Obama Administration has rolled back several key enforcement measures, such as the abandonment of Social Security No-Match, changes in the 287(g) program, and randomized I-9 checks. In fact, in some instances, the Obama Administration has chosen simply to ask the judge to dismiss immigration cases against non-criminal aliens—essentially allowing them to stay in the United States instead of being deported. If the Administration takes immigration enforcement seriously, it should rethink its current strategy.

- *Create a border strategy.* The southern border is a major driver of illegal immigration in the United States. In 2006, the Bush Administration took several steps to make the border more secure, including investments in manpower, infrastructure, and technology. The job of securing the border, however, is far from finished. Without a comprehensive strategy for future efforts, including the deployment of resources and an honest assessment of threats, there is a real risk that drug cartel violence and continued illegal immigration will undermine the progress made in the past five years.

- *Reject proposals for amnesty.* Granting amnesty to the millions of illegal immigrants in the United States would make the problem worse in the long run, encouraging more and more individuals to come to the U.S. illegally.

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