

# U.S. pushes E-verify for hires

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By Stephen Dinan

Few federal agencies are using the government's own employment-verification system designed to prevent hiring illegal aliens, with just the Department of Homeland Security and a few other scattered offices having signed up.

That all changes next month, when the federal government takes the lead in trying to prove the system is user-friendly and works. Under a new directive, every new federal hire is required to be checked against E-Verify, the new name for a decade-old system known as the Basic Pilot Program that has become the backbone of many companies' hiring process as they try to weed out illegal aliens.

The newly re-branded system gets a formal public release at a press conference today at the headquarters for U.S. Citizenship and Immigration Services (USCIS), with officials hoping to prove to businesses the system is running, is easy to use and can help them avoid trouble from an expected crackdown on employers.

"The expectations for the program just keep exploding, and we want to meet those expectations," said Gerri Ratliff, who heads USCIS' verification division and who talked with The Washington Times about E-Verify earlier this month.

But with more than 22,000 companies registered, the program already is on the defensive, with some companies complaining it is burdensome and Illinois Gov. Rod R. Blagojevich signing a law this month blocking companies in that state from using the program as of Jan. 1. Yesterday, the Homeland Security Department sued in federal district court to overturn that law.

The system was one of three test programs created by Congress in the 1990s to crack down on illegal aliens getting jobs. The other two were discontinued, but E-Verify has seen phenomenal growth, with 2.9 million requests for verification submitted from Oct. 1 through Aug. 31 — up from 1.2 million for fiscal 2006.

Employers use a Web site to enter a potential hire's information, and the system returns with either an instant verification or a tentative nonconfirmation.

Companies sign a memorandum with USCIS setting out terms, including guidelines to make sure they aren't using the system in a discriminatory way. With a bigger budget, agency officials say they are prepared to track compliance, and report discrimination to the Justice Department. They also are preparing guidelines for how to report repeat-offender companies who appear to be hiring illegal aliens to U.S. Immigration and Customs Enforcement.

The program weeds out about 5 percent of all new applicants as not authorized to work.

Some states and industries have embraced the program more enthusiastically. New York companies submitted just 80,587 queries through Aug. 31 of fiscal 2007, less than half the 169,830 submitted by North Carolina employers.

In Arkansas, meanwhile, the employers who have signed up make frequent use — the 1,255 work sites registered averaged nearly 100 queries per site. Poultry-processing plants make up a major category of users in Arkansas.

Many congressional offices are signed up for the program as well, but federal agencies have lagged behind in use, with mainly Homeland Security and some Defense Department agencies listed as users. The new directive is designed to change that as of Oct. 1, and the government also is writing rules that would require all federal contractors to use E-Verify for new hires.

Some employers are vigorously fighting the system, including suing to stop Arizona's law that goes into effect next year requiring employers who do business in that state to use E-Verify.

"When we see that a state legislative body passes laws that steps on our constitutional rights, we have nothing but an obligation to stand up and say you're not throwing us under the bus because you're frustrated with Congress," said David Jones, president of the Arizona Contractors Association.

In the suit, filed by the contractors and a host of Hispanic and business groups, they say E-Verify is a voluntary program for a reason: It puts extra burdens on employers, including requiring access to the Internet, and it requires businesses to sign away some of their rights.

USCIS says the error rate is dropping and argues that most nonconfirmation is because workers changed their name after marriage or gained citizenship but never corrected their information with the government.

"The mismatches most of the time are for a very good reason, and people self-select out. They know when they aren't authorized," Ms. Ratliff said. "And now that some of our data improvement projects are launching and about to launch, these numbers are going to get even better."

Ms. Ratliff said the system can handle the increase expected from Arizona's new law even without adding any new equipment, and said they always have the capacity to add more computer servers to increase their ability.

Some businesses also fear a situation in which they are using E-Verify but their competitors aren't, putting the more scrupulous business at a competitive disadvantage.

One group, NumbersUSA, is trying to level the playing field by creating public pressure

for businesses to join. They created a Web site ([www.smartbusinesspractices.com](http://www.smartbusinesspractices.com)) for users to see whether companies in their area use the verification program.

"The system works. That's the bottom line," said Rosemary Jenks, director of government relations for the group, which advocates for stricter immigration limits.