



Immigration Task Force

ISSUE BRIEF:

How Accurate is E-Verify?

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When it comes to measures for preventing unauthorized immigration, border security gets the most attention. Employment verification may be equally important. [Nearly half](#) of unauthorized immigrants cross the border legally but overstay their visas. Further, between [two-thirds](#) and [three-quarters](#) of working unauthorized immigrants pay Social Security taxes, meaning that they were hired with forged or since-expired documents—through the same channels as “documented” legal workers.

Before 1997, the federal government did not enable employers to verify the accuracy of the identifying information that new hires provided. In 1997, it launched the Basic Pilot Program, renamed E-Verify in 2007. E-Verify compares the information that new hires provide on form I-9 with Department of Homeland Security (DHS) and Social Security Administration (SSA) records. (Click [here](#) for a step-by-step guide.) If records do not match, the system issues a tentative non-confirmation (TNC). After that point, employees who believe they are authorized may contest the claim.

In today’s immigration debate, whether and how soon E-Verify or a similar system should become mandatory are [key points of contention](#). Some argue that a workable, mandatory employment-verification system would be an effective deterrent for unauthorized immigrants and their employers. Others counter that E-Verify needs improvement and that employment verification could force more workers into the underground economy.



Use of E-Verify has increased rapidly since the last round of comprehensive immigration reform proposals in 2006 and 2007. [In 2006](#), more than 11,000 employers ran nearly 1.75 million cases through the system. By 2012, more than 400,000 employers ran more than 20 million cases through the system—a tenfold increase in the number of cases in just six years, and a more than thirtyfold increase in the number of employers. In addition to voluntary use, two factors drove this rise: a 2009 mandate that federal contractors use E-Verify and a variety of state laws requiring employers to use the program.

Overall accuracy. In both the current and previous round of comprehensive immigration reform proposals, E-Verify’s accuracy has been a central point of contention. In a [2009 external program evaluation](#), Westat calculated an overall accuracy rate for April through June 2008. Of the 4.1 percent total inaccuracy rate, 3.3 percent were unauthorized workers who were wrongly authorized, while 0.7 percent were authorized workers who were wrongly rejected.

Accuracy for unauthorized workers. Westat’s finding meant that the large majority of the errors—82 percent—were due to failing to catch unauthorized workers. In fact, the system authorized 54 percent of workers it was supposed to reject. Westat attributed these errors to the system’s low success rate at identifying document fraud. Its 2009 program evaluation explained that, “if a worker presents documents that contain information about a real work-authorized person and if the documents appear to be valid, E-Verify is unlikely to detect the identity fraud.” In response to this problem, DHS began experimenting with a photo-matching tool—before, employers had no way to tell whether the documents actually belonged to the person wielding them.

The Gang of Eight proposal (S. 744) aims to address the failure to detect unauthorized individuals, which is by far E-Verify’s greatest source of error. It requires biometric matching based on passport photographs and driver’s licenses, and grants DHS latitude to add other measures. Additionally, the proposal allows workers to “lock” their Social Security Number (SSN) so that other individuals cannot use it. [According to Westat](#), of the roughly 3.5 million records run through E-Verify between 2004 and 2007, about 21,000 SSNs had been used six or more times and more than 20 percent had been used twice. S. 744 mandates that U.S. Citizenship and Immigration Services (USCIS) create a system to investigate improper multiple uses of SSNs.

Accuracy for authorized workers. E-Verify immediately confirms more than 99 percent of work-authorized individuals. Westat identified two reasons for erroneous rejections of authorized workers: “out-of-date or inaccurate federal records and data input errors.” USCIS’s [advice](#) for authorized workers who receive a TNC reflects these sources of error. Among its suggestions are that the employee failed to report a change in their name or immigration status, that SSA’s records are inaccurate, or that information was entered incorrectly on form I-9 or into the E-Verify system.

In the past few years, DHS has added [several mechanisms](#) to address these sources of error. These include a redesigned interface to reduce data-input errors (2010), prompts to

double check potentially inaccurate data (2007), and a self-check tool that enables authorized workers to detect database errors before a potential employer runs their information (2011).

Other measures of E-Verify accuracy. The April to June 2008 period is the only one for which a total inaccuracy rate is available. However, other performance measures exist. One measure is the share of workers who are automatically confirmed, paired with the share who are confirmed after receiving a TNC. Because USCIS does not publish comprehensive data on E-Verify's past performance, these data come from several sources.¹ An asterisk marks places where data were imputed using addition or subtraction:

Table 1. Summary of E-Verify statistics, 1997–2012

TIME PERIOD	AUTOMATICALLY CONFIRMED	TNC (INITIAL MISMATCH)	CONFIRMED AFTER TNC (WRONGLY REJECTED AT FIRST)	FINAL NON-CONFIRMATION				SOURCE
				ALL (CORRECTLY REJECTED)	UNCONTESTED	UNRESOLVED	CONTESTED, NOT AUTHORIZED	
Nov. 1997–Dec. 1999	79%	21%*						Link
Oct. 2004–Mar. 2007	92%	8%*						Link
FY2008	96.1%	3.9%	0.4%	3.5%				Link
FY2009	97.4%	2.6%	0.3%	2.3%				Link
FY2010	98.3%	1.7%	0.3%	1.43%				Link
FY2011	98.3%	1.67%*	0.28%	1.39%	1.13%	0.24%	0.01%	Link
FY2012	98.65%	1.35%	0.26%	1.09%	0.90%	0.18%	0.01%	Link

E-Verify has improved significantly since the last round of comprehensive reform proposals. By FY2012, the share of employees receiving a TNC was five times lower than it had been between October 2004 and March 2007. Data on the share of employees who received work authorization, but who were initially not confirmed, are not available until FY2008. Between that time and 2012, the share of employees confirmed after an initial TNC dropped from 0.4 percent to 0.26 percent. The share of workers who were found unauthorized also declined substantially, which may be explained by the overall decline in unauthorized immigration during the period.

Yet another measure of E-Verify’s performance is the share of erroneous TNCs. In its external evaluations, Westat calculates the share of workers that the system authorized at any point who initially received a TNC. The latest available data for this measure are for April through June 2008. All data are from Westat’s [December 2009 program evaluation](#), with the exception of the [1997 to 1999 data](#). Exhibit numbers from the 2009 program evaluation appear in parentheses:

Table 2. Erroneous tentative non-confirmations in E-Verify, 1997–2008

	EVER-AUTHORIZED WORKERS (ALL AUTHORIZED) (VI-5)	ALL U.S. BORN (X-12)	ALL FOREIGN BORN (X-12)	ALL CITIZENS (X-8, X-9)	FOREIGN-BORN CITIZENS (NATURALIZED) (X-13)	ALL NONCITIZENS (X-8)	LPR (GREEN CARD) (X-9)	ALIENS AUTHORIZED TO WORK (X-9)
Nov. 1997–Dec. 1999	4.8%							
FY2004 (July–Sept.)				0.6%		2.2%	1.3%	5.0%
FY2005 (Oct.–Dec.)	0.9%			0.8%		1.8%	1.1%	4.2%
FY2005 (Jan.–Mar.)	1.0%			0.8%		1.9%	1.1%	4.8%
FY2005 (Apr.–June)	0.9%			0.7%		1.9%	1.1%	4.8%
FY2005 (July–Sept.)	0.9%			0.8%		1.8%	1.2%	4.3%
FY2006 (Oct.–Dec.)	0.9%			0.7%		2.6%	1.5%	6.2%
FY2006 (Jan.–Mar.)	0.9%	0.2%	4.3%	0.6%	7.1%	2.9%	1.7%	7.7%
FY2006 (Apr.–June)	0.9%	0.2%	4.2%	0.6%	6.8%	2.9%	1.7%	7.6%
FY2006 (July–Sept.)	0.8%	0.2%	3.7%	0.6%	6.8%	2.2%	1.6%	5.0%
FY2007 (Oct.–Dec.)	0.7%	0.2%	3.7%	0.6%	6.6%	2.0%	1.5%	4.4%
FY2007 (Jan.–Mar.)	0.8%	0.2%	4.2%	0.6%	9.9%	2.3%	1.5%	5.7%
FY 2007 (Apr.–June)	0.7%	0.2%	4.3%	0.6%	8.2%	2.0%	1.3%	4.8%
FY2007 (July–Sept.)	0.7%	0.2%	3.8%	0.6%	6.8%	2.1%	1.3%	5.5%
FY2008 (Oct.–Dec.)	0.6%	0.1%	3.3%	0.5%	6.2%	1.5%	1.0%	3.4%
FY2008 (Jan.–Mar.)	0.7%	0.1%	3.8%	0.6%	7.0%	1.7%	1.2%	4.1%
FY2008 (Apr.–June)	0.5%	0.1%	2.6%	0.3%	3.2% ²	2.1%	1.0%	5.3%

The first column, “ever-authorized workers,” contains all workers who received authorization at any point during the process. Based on the latest data available, 0.5 percent of ever-authorized workers receive an erroneous TNC.³ Given that the share of workers whose TNCs were overturned fell substantially between FY2008 and FY2012, it seems likely that the erroneous TNC rate has continued to decline since Westat issued its findings.

Unfortunately, Table 2 demonstrates that E-Verify’s accuracy is not the same for all populations. U.S.-born individuals received an erroneous TNC in just 0.1 percent of cases in FY2008, but immigrant populations received erroneous TNCs at much higher rates, particularly for naturalized citizens. Westat attributed the higher rates of TNCs to “out-of-date SSA and USCIS database information on the citizenship status of many foreign-born citizens.” Aliens authorized to work—mostly guest workers—also had higher rates of error. At present, the United States has no unified system that tracks the entries, exits, and immigration statuses of all visa holders. For example, a [January 2011 GAO report](#) found that:

The total number of H-1B workers in the U.S. at any one time—and information about the length of their stay—is unknown, because (1) data systems among the various agencies that process such individuals are not linked so individuals cannot be readily tracked, and (2) H-1B workers are not assigned a unique identifier that would allow for tracking them over time—particularly if and when their visa status changes.

The current version of S. 744 also seeks to address these errors. The bill seeks to improve entry/exit tracking for immigrants and temporary workers, which would cut down on the database inaccuracies that Westat cited. These provisions for tracking when temporary workers leave the country also aim to reduce the number of visa overstays, who currently constitute [nearly half](#) of the unauthorized population.

Whether or not E-Verify’s accuracy is sufficient is largely in the eye of the beholder. It authorizes more than 99 percent of the people it is supposed to authorize, and cases where it does not are attributable to erroneous records or incorrect data entry. As of 2008, it missed the majority of the unauthorized workers that it was supposed to catch. S. 744 seeks to address many of the major sources of error. Ultimately, Congress will determine the appropriate standard of accuracy for an employment verification system.

Endnotes

¹ All decimal places in the table match the number of decimal places provided by the original source.

² In May 2008, USCIS reformed the process for naturalized citizens. This resulted in a significant drop in TNCs.

³ Between April and June 2008, there is a discrepancy between Westat’s inaccuracy rate for work authorized individuals (0.7 percent) and the erroneous TNC rate for ever-authorized individuals in Table 2 (0.5 percent). This discrepancy appears to be explained by the fact that not all authorized workers ever receive authorization from the system.