



## U.S. Citizenship and Immigration Services

# DHS Unveils Initiatives to Enhance E-Verify Fact Sheet

## Introduction

On March 17, Department of Homeland Security (DHS) Secretary Janet Napolitano joined U.S. Citizenship and Immigration Services (USCIS) Director Alejandro Mayorkas to announce a trio of initiatives to strengthen the efficiency and accuracy of the E-Verify system.

These initiatives include a new agreement with the Department of Justice that will streamline the adjudication process in cases of E-Verify misuse and discrimination; an informational telephone hotline for employees to provide a more timely, effective and seamless customer experience for workers seeking E-Verify information; and new training videos focusing on E-Verify procedures and policies, employee rights and employer responsibilities in English and Spanish.

## Background

E-Verify is a free, easy-to-use Web-based system—operated in partnership by USCIS and the Social Security Administration—that allows participating employers to electronically verify the employment eligibility of newly-hired employees. More than 192,000 participating employers at more than 705,000 worksites nationwide currently use E-Verify to electronically verify their workers' employment eligibility. Since Oct. 1, 2009, E-Verify has processed more than six million queries.

## Questions & Answers

### MOA with Department of Justice

#### **Q. Why is E-Verify sharing information with the Department of Justice's Office of Special Counsel (OSC)?**

A. The purpose of the MOA is to establish a streamlined process for referring E-Verify matters falling within the other's jurisdiction. OSC will receive referrals of potential discrimination that come to USCIS; in turn, USCIS will receive from OSC referrals of potential employer misuse of E-Verify that does not fall within DOJ's enforcement arena. In addition, the MOA provides USCIS a more efficient

process to assist DOJ in pending investigations as they relate to E-Verify.

**Q. Under what circumstances will USCIS share information with DOJ OSC?**

A. USCIS will refer to OSC allegations involving potential discrimination resulting from employer misuse of E-Verify. USCIS will also provide information in response to appropriate law enforcement requests by OSC.

**Q. What kind of information will E-Verify share with DOJ OSC?**

A. Where appropriate, USCIS will share data from the queries run through E-Verify, including citizenship status, to OSC to assist it in identifying violations of the anti-discrimination provision of the INA. USCIS will also share employer information, as appropriate, when employers have engaged in potential misuse of E-Verify.

**Q. How will DOJ OSC analyze the information it receives from E-Verify?**

A. The information OSC receives from USCIS will assist OSC in identifying potential patterns or practices of discrimination through the misuse of E-Verify or in investigating individual claims of discrimination.

**Q. What will DOJ OSC do if it finds evidence of discrimination by a particular employer?**

A. Under 8 U.S.C. § 1324b, OSC is authorized to conduct investigations of: (1) citizenship or immigration status discrimination; (2) national origin discrimination; (3) unfair documentary practices during the employment eligibility verification (Form I-9) process (document abuse); and (4) retaliation. OSC will follow its established procedures for investigating violations of 8 U.S.C. § 1324b.

**Q. How will USCIS and DOJ OSC protect the privacy of E-Verify employers and employees?**

A. USCIS and OSC will comply with all applicable laws and agency protocol for maintaining personally identifiable information.

**Q. When will the MOA go into effect?**

A. The MOA will go into effect upon signing on March 17, 2010.

**Q. Do you anticipate similar agreements with other federal or state agencies?**

A. OSC has entered into similar agreements with the Equal Employment Opportunity Commission, OFCCP and several state agencies. USCIS has also entered an agreement with DHS' U.S. Immigration and Customs Enforcement.

## **Civil Rights/Civil Liberties Videos**

**Q. What are the E-Verify Civil Rights and Civil Liberties videos?**

A. These videos, created by the Department of Homeland Security's Office of Civil Rights and Civil Liberties and U.S. Citizenship and Immigration Services are designed to help employers understand their responsibilities under E-Verify and to inform employees of their rights when working for

employers enrolled in E-Verify.

One video, “Understanding E-Verify: Employer Responsibilities and Worker Rights,” is aimed at employers and is available in English. The other video, “Know Your Rights: Employee Rights and Responsibilities,” is aimed at employees and is available in English and Spanish. Each video is approximately 20 minutes long and contains reenactments of real-world hiring scenarios where employers and employees work through the E-Verify process together, ensuring that employees’ rights are understood and respected throughout.

**Q. When will the videos be available and where can I get a copy?**

A. The videos are available online for viewing at [www.dhs.gov/e-verify](http://www.dhs.gov/e-verify) or [www.youtube.com/ushomelandsecurity](http://www.youtube.com/ushomelandsecurity).

**Q. When will the videos be available and where can I get a copy?**

A. The videos are available online for viewing immediately (March 17) at [www.dhs.gov/e-verify](http://www.dhs.gov/e-verify) or [www.youtube.com/ushomelandsecurity](http://www.youtube.com/ushomelandsecurity). You may also request the videos by sending an email to [E-verify@dhs.gov](mailto:E-verify@dhs.gov) -- please include the point of contact, mailing address, and how many copies you are requesting.

**Q. Do you plan on offering the videos in languages other than English and Spanish?**

A. Future videos may incorporate additional languages if such a need is determined.

## Employee Hotline

**Q. When will the employee hotline be available to the public?**

A. The employee hotline (888-897-7781) will be active on April 5, 2010. Hours of operation are:

8 a.m. – 5 p.m. local (continental United States, Puerto Rico and U.S. Virgin Islands)

8 a.m. – 4 p.m. (Alaska)

8 a.m. – 2 p.m. (Hawaii)

**Q. How does the hotline work?**

A. The employee hotline is a dedicated telephone number created to respond to employee inquiries, issues and complaints. It will be operated with an Interactive Voice Response (IVR) that will allow the employee to choose from four options. Once the employee makes his or her selection, the IVR will route the call to the appropriate customer service representative. The four options are:

- General E-Verify information
- Completing the Form I-9
- Contesting an E-Verify case
- Filing a complaint regarding possible discrimination or employer misuse of the E-Verify program.

The employee hotline IVR will contain options in both English and Spanish; USCIS will provide customer service representatives who speak both languages.

**Q. What kind of questions or issues will be addressed by the employee hotline?**

A. The employee hotline will allow employees to:

- Gain general information about the E-Verify program and procedures
- Understand how to complete the Form I-9 with acceptable documentation
- Understand the E-Verify process and how it affects them
- Learn about employee rights
- Report employer misuse of the E-Verify system
- File complaints regarding possible violations of verification policy and privacy laws
- Contest an E-Verify case.

**Q. Will this hotline afford the caller the opportunity to discover whether or not his or her identity has been stolen?**

A. The hotline will direct potential identity theft victims to the Federal Trade Commission and other resources for reporting purposes. The hotline and customer service representatives do not have the capability to determine whether an identity was stolen.

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