

## Findings of the E-Verify Employer Survey



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# EXECUTIVE SUMMARY

## 1. PURPOSE OF THE STUDY

This study is part of an ongoing independent evaluation of E-Verify,<sup>1</sup> an Internet-based system that allows U.S. employers to confirm the employment eligibility of their workers. E-Verify was originally created by the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 to launch the Basic Pilot Program in 1997. Since then, the Basic Pilot Program was expanded in scope and extended several times, evolving into a web-based version in 2004 and renamed E-Verify in 2007. The goals of E-Verify, as specified in the legislation, are to reduce the employment of individuals unauthorized to work, reduce verification-related discrimination, prevent undue burden on employers, and protect privacy and workers' civil liberties.

To examine E-Verify's progress towards attaining its goals, this report presents survey data on employers' opinions on and experiences with E-Verify in 2015 and changes, when possible, from 2008, 2010, and 2013. It also discusses findings related to new topics included in the 2015 survey. Specifically, this report addresses research questions surrounding four topic areas.

- The extent to which E-Verify is used and employers' reasons for using it.
- The extent to which E-Verify is meeting its goals and the extent to which employers comply with E-Verify requirements.
- Employer satisfaction with E-Verify.
- Recommendations for improvements to E-Verify.

As with previous evaluations of E-Verify, the information collected on these topics should be helpful in shaping future program improvements and legislation.

## 2. METHODOLOGY

The 2015 E-Verify Employer Web Survey sample of 3,813 employers was selected using a stratified random sampling design from a sampling list of 81,631 eligible employers from the E-Verify Transaction Database.<sup>2</sup> The survey sample was grouped by participation status in E-Verify, industry type, the number of E-Verify Tentative Nonconfirmations (TNCs), and the number of workers. The survey required recent use of E-Verify so that respondents would be informed about E-Verify's current features and able to answer survey questions.<sup>3</sup> E-Verify Employer Agents (EEAs) and their clients were not eligible for the survey.<sup>4</sup>

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<sup>1</sup> Throughout the report, the term "E-Verify" may refer to the overall program or the electronic system used to operate it.

<sup>2</sup> The Transaction Database contains information on every case submission to E-Verify.

<sup>3</sup> To be eligible for the survey, a company had to have been in business at the time of the survey and had to have (a) submitted cases to E-Verify between January 1 and March 31, 2015; or (b) formally terminated involvement in E-Verify between October 1, 2014, and March 31, 2015; or (c) signed a Memorandum of Understanding (MOU) for E-Verify before March 31, 2015, but not transmitted any cases to E-Verify between October 1, 2014, and March 31, 2015.

<sup>4</sup> Inclusion of EEAs and their clients would have required a significant expansion of the survey to cover aspects of E-Verify that are unique to these users; available resources did not permit their inclusion in the 2015 survey. However, it should be noted that EEAs and their clients were the subject of an in-depth case study in 2010. (see [https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/EVerify%20Studies/Findings%20of%20the%20Case%20Study%20of%20EVerify%20Employer%20Agents%20and%20Their%20Clients.pdf](https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/EVerify%20Studies/Findings%20of%20the%20Case%20Study%20of%20EVerify%20Employer%20Agents%20and%20Their%20Clients.pdf)). Additionally, a subset of EEAs, Web services EEAs, were surveyed for an internal USCIS study in 2014.

## EXECUTIVE SUMMARY

As a first step to drafting the 2015 questionnaire, Westat established a technical working group of USCIS content experts and an in-house survey methodologist to identify new topics and assess the relevance and burden of each 2013 survey item in relation to E-Verify's goals and recent changes. Many of the questions asked in the 2015 survey were adapted directly from prior iterations of E-Verify evaluation. Westat also pretested new and revised survey questions using online focus groups with four small groups of employers (i.e., employment agencies, small companies, medium-sized companies, and large companies) to ensure that the questions were clear and to examine the time taken to complete the survey.<sup>5</sup> The research team used feedback from the focus groups, the technical working group, and Westat's usability testing group to revise the survey for clarity, accuracy, and succinctness.

The Westat team collected data primarily through a web survey that incorporated skip patterns and data edits and an electronic survey management system (SMS) designed to track cases and monitor survey progress. Both the web survey and SMS were thoroughly tested for navigation, usability, and accuracy. Data collection lasted 14 weeks starting late August and ending early December 2015. Of the 3,813 sampled employers, 322 were found to be out of scope because they were no longer in business, were duplicate listings of a company, or were EEAs or clients of EEAs. Of the remaining 3,491 eligible employers, 2,851 (82 percent) completed the survey. The weighted response rate was 85 percent.

When examining change over time or when making comparisons between two or more different groups of employers, tests of significance using *t*-test statistics were run to determine whether those differences might be due to random error associated with statistical sampling. Unless stated otherwise, this report only discusses differences that were statistically significant at the 0.05 level based on two-tailed tests.

### 3. FINDINGS

This section first provides a brief overview of E-Verify usage based on data from the E-Verify Transaction Database and selected survey data. It then presents survey findings to address key research questions on meeting E-Verify goals, employer compliance with program requirements, and employer satisfaction with E-Verify.

#### 3.1 Overview of E-Verify Usage

##### 3.1.1 Findings From the Transaction Database: Extent of E-Verify Usage

The Westat team analyzed data from the Transaction Database to provide a “big picture” view of E-Verify usage by addressing the question: *How widespread is E-Verify use and what types of employers are using it?* Unlike the survey sample data, the analyses of transaction data are based on *all* employers that enrolled in E-Verify, including: (1) regular employers that verify only their own workers; (2) E-Verify Employer Agents (EEAs) that verify their clients' workers, usually for a fee; and (3) clients of EEAs that do not verify their own workers but hire EEAs to do so.

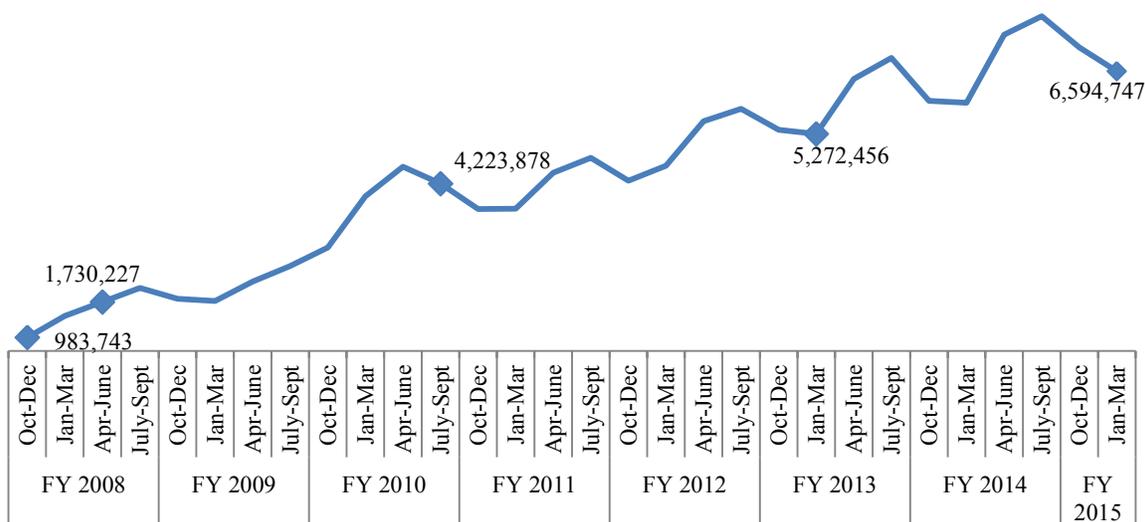
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<sup>5</sup> Each focus group included six to eight participants selected using the same criteria by which the Web survey sample was chosen. Participation in the focus groups did not preclude employers from being selected for the Web survey sample.

Overall, E-Verify continues to expand in the number of employers that signed a Memorandum of Understanding (MOU),<sup>6</sup> the number of employers that use E-Verify, and the number of cases transmitted.

- On average, 20,392 employers signed an MOU every quarter between 2008 and 2015. The sharpest spike occurred between late 2011 and early 2012 when 40,441 new users signed this agreement, which is likely due to the growing number of state mandates to use E-Verify during this period. However, signing an MOU does not guarantee that an employer will use E-Verify. Among all employers that signed an MOU between October 2007 and March 2015, a little over half (57 percent) of regular employers, one-third of EEAs, and about one-fourth of the clients of EEAs actually used E-Verify after they signed the agreement.
- Consistent with a strong upward trend in E-Verify usage since its inception, the number of employers submitting cases to E-Verify and the number of cases transmitted increased sharply between October 2007 and March 2015.<sup>7</sup> The number of E-Verify employers that submitted cases increased from 13,336 in October through December 2007 to 74,737 in July through September 2010, and then to 156,667 employers in January through March 2015. Consistent with this upward trend, the number of cases transmitted to E-Verify increased from about 984,000 cases in October through December 2007 to about 4.2 million in July through September 2010, and then to nearly 6.6 million in January through March 2015 (Figure E-1). Fluctuations from quarter to quarter suggest that seasonal hiring patterns might contribute to lower numbers of transmitted cases during winter months and higher numbers during summer months.

Figure E-1. Number of Cases Transmitted to E-Verify: October 2007–March 2015



SOURCE: E-Verify Transaction Database.

<sup>6</sup> Employers must sign an MOU before they can complete their E-Verify enrollment. This agreement between the employer, DHS, and the Social Security Administration (SSA) explains the employer’s responsibilities and the usage requirements employers agree to follow.

<sup>7</sup> Findings of the E-Verify Program Evaluation, December 2009 ([http://www.uscis.gov/USCIS/E-Verify/E-Verify/Final%20E-Verify%20Report%2012-16-09\\_2.pdf](http://www.uscis.gov/USCIS/E-Verify/E-Verify/Final%20E-Verify%20Report%2012-16-09_2.pdf)).

### 3.1.2 Findings From the E-Verify User Surveys: Reasons for Using E-Verify

The Westat team used data from the surveys of E-Verify employers to describe how employers first learned about E-Verify and their reasons for using it. The analyses were based on the survey population of regular E-Verify employers that use E-Verify only for their own employees (i.e., it excluded EEAs and their clients).

- **A consistent finding since 2010 is that employers first learned about E-Verify primarily through non-federal sources.** About one-third (35 percent) of employers in the 2015 survey first heard about E-Verify from non-government sources, ranging from 2 percent for media coverage to 9 percent for requests from clients to participate in E-Verify. Sixteen percent first learned about E-Verify from federal sources, including USCIS or Social Security Administration (SSA) materials, or from U.S. Immigration and Customs Enforcement (ICE). Another 14 percent of the employers first learned about E-Verify from a state or local government office. Thirty-six percent of the employers did not know the answer to this question, presumably because it was too burdensome to provide this information (e.g., no current employees were knowledgeable about how the company learned about E-Verify).
- **Employers were motivated to participate in E-Verify mainly because they wanted to improve their ability to confirm work authorization and because of federal and state/local government requirements to use E-Verify.** When employers were asked about their main reason for using E-Verify, the most frequently cited reasons in 2015 were: their state or local government required participation (31 percent), the federal government required participation (21 percent), and they wanted to improve their ability to confirm work authorization (28 percent).

### 3.2 E-Verify Goals and Employer Compliance

This section presents key findings related to several indicators on the extent to which E-Verify is meeting its goals and the extent to which employers adhere to E-Verify requirements. Both sets of indicators address the overarching question of E-Verify's effectiveness and accuracy. In 2015, employers held highly overall positive attitudes about E-Verify; almost all agreed that E-Verify was an effective tool (96 percent) and highly accurate (96 percent).

#### 3.2.1 Effectiveness in Meeting E-Verify Goals

Survey data addressed the extent to which E-Verify has made progress in meeting its goals of reducing unauthorized employment, preventing undue burden on employers, and reducing verification-related discrimination while protecting privacy and workers' civil liberties.

**Employers' perceptions about E-Verify's effectiveness in reducing the number of unauthorized job applicants and their report of the ways in which workers respond to TNC findings suggest continued challenges in discouraging and detecting unauthorized employment.**

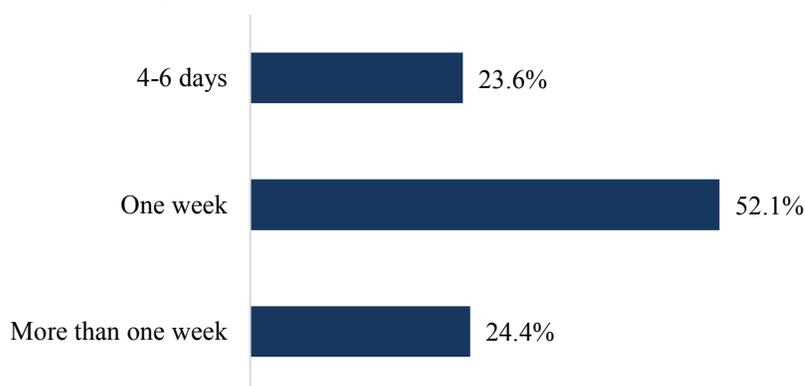
- In 2015, while 19 percent of the employers agreed that the number of unauthorized workers who applied for jobs decreased because the company used E-Verify, almost half did not share this perception, and the remaining one-third did not express an opinion. This finding suggests that some unauthorized workers may avoid detection by not applying to jobs with employers that use E-Verify.
- Among the 19 percent of employers that had workers receiving TNCs, 62 percent reported that the workers at least sometimes did not return to work and about one-third reported that workers at least sometimes quit before being informed about the TNC. In addition, about two-thirds of the employers reported that workers at least sometimes expressed an intention to contest the TNC. While a TNC

finding does not necessarily mean that the worker is unauthorized to work and while workers may choose to stop working for many reasons, it is likely that some workers may quit because they are not eligible to work.

**While most E-Verify users reported positive experiences about the impact of E-Verify on their company and workers, some reported difficulties with meeting case submission deadlines.**

- In 2015, almost half (45 percent) of all E-Verify users reported difficulty with submitting case information within the required three-day deadline. Among these employers, about half (46 percent) reported that the primary reason for this difficulty was waiting for Social Security numbers (SSNs) while 15 percent felt it was because they had too many hires. When asked about how long they would like to have for case submissions, a little over half (52 percent) indicated that they would like to have one week, 24 percent said more than one week, and the remaining 24 percent said four to six days (Figure E-2).

**Figure E-2. Among E-Verify users reporting difficulty with the E-Verify submission deadline, percent indicating the number of days they would like to have for the deadline: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

- Reporting on the perceived impact of E-Verify use on their companies' potential workforce, small percentages of E-Verify employers in 2015 agreed with the statement that using E-Verify has made it difficult to attract qualified workers (5 percent) or resulted in fewer work-authorized job applicants (7 percent). The percentage of employers agreeing that E-Verify use resulted in fewer work-authorized job applicants dropped from 14 percent in 2008 to 7 percent in 2015, suggesting a perceived reduction in the negative impact of E-Verify use on the companies' potential workforce.
- Reflecting a positive impact of E-Verify use in 2015, some E-Verify users (17 percent) agreed with the statement that using E-Verify had created a competitive advantage for their company while very few (3 percent) agreed that using E-Verify has made their company *less* competitive. In addition, few E-Verify users agreed that the company experienced problems with the costs of setting up or maintaining E-Verify (2 percent and less than 1 percent, respectively).

**Although most employers did not report discriminatory hiring practices towards workers with TNCs or workers who appear to be foreign born, a few continued to engage in these practices.** It is important to note that employers that are aware of these violations of E-Verify requirements may underreport such behavior on a survey.

- In 2015, among the 19 percent of E-Verify users with workers receiving TNCs, 90 percent reported they never fired those workers without informing them about the finding, although a few (2 percent) engaged in this discriminatory practice at least sometimes. Also in violation of E-Verify rules that workers be permitted to contest TNCs without penalty, 30 percent of the employers reported that their company restricted work assignments of employers who decided to contest TNCs, about one-fourth delayed training, and 4 percent reduced the workers' pay until they were found eligible to work.
- Also in 2015, E-Verify use appeared to have little influence on employers' decisions to hire job applicants who appear to be foreign born. When asked whether they were now more or less willing to hire job applicants who appear to be foreign born than they were prior to using E-Verify, 9 percent of E-Verify users were more willing, 2 percent were less willing while the majority (69 percent) were neither more nor less willing to do so and the remaining 20 percent said they did not know the answer to the question.

### 3.2.2 Employer Compliance with E-Verify Requirements

This section reports findings on employer compliance with E-Verify tutorial and system ID requirements, verifying only those workers who should be verified and within the stipulated time period, and using Photo Matching appropriately in the verification process. It also reports the extent to which employers adhere to rules for recent E-Verify enhancements, including duplicate case alerts, email notification to workers with TNCs, and TNC notification procedures using the Further Action Notice (FAN).

**The survey data showed high levels of employer compliance with tutorial and system ID requirements, verifying only those workers who should be verified, and conducting verifications within the stipulated time period. However, some challenges remain for employers that who do not meet the requirements for E-Verify use and the protection of worker rights.**

- Almost all 2015 survey respondents completed the mandatory online tutorial (94 percent), representing an increase in user compliance from 2008 when 85 percent of survey respondents reported meeting this requirement. Among companies with multiple E-Verify users, while fewer survey respondents (85 percent) reported that the tutorial was completed by all other users, this percentage also reflected increased user compliance from 2008 when 78 percent of users met this requirement.<sup>8</sup>
- Among companies with multiple E-Verify users, 12 percent violated the prohibition against sharing user IDs and passwords in 2015 and this percentage remained fairly stable since 2008. Although small, the percentage of users violating this requirement suggests possible noncompliance with other E-Verify rules since it is likely that the users who have not taken the tutorial may not be fully informed about E-Verify requirements.
- Although most employers adhered to E-Verify rules for the types of workers that should be verified, a few did not follow the rules for verifying new hires and existing workers. Almost all employers (97 percent) verified all new hires in 2015, representing a slight increase in compliance from 2010 when 95 percent adhered to this rule. However, some companies (17 percent) with no federal mandate

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<sup>8</sup> Thirty-eight percent of E-Verify employers had multiple E-Verify users at the company in 2015.

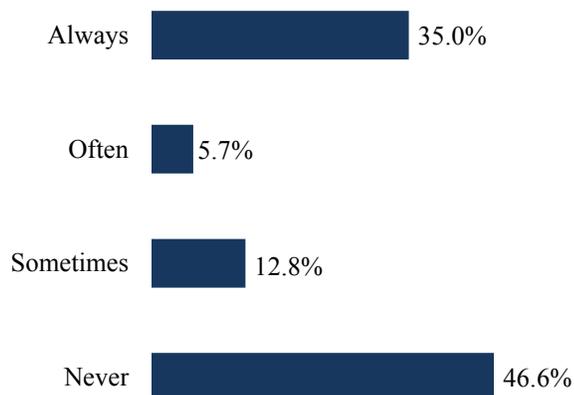
incorrectly verified employees who were hired prior to their use of E-Verify, and this percentage increased from 10 percent in 2010. Additionally, 9 percent of employers with no federal mandates and 11 percent of those with a federal mandate selectively verified existing employees believed not to be work authorized in 2015.

- Across survey years, while most employers adhered to E-Verify rules regarding the timing of E-Verify use, the percentage of those in violation either increased or remained stable over time. The percentage of E-Verify users reporting that they submitted worker information prior to the offer and acceptance of a job (i.e., prescreened workers) increased from 4 percent in 2008 to 9 percent in 2010 and it has remained stable since then. In addition, the percentage that adhered to the three-day rule dropped from 92 percent in 2008 to 83 percent in 2010 and it has not changed significantly since then.

**The 2015 survey collected first-time data on employer compliance with responding to two new enhancements: email notifications to workers with TNCs and duplicate case alerts. Survey findings suggest high levels of employer compliance with responding to duplicate alerts but low levels of compliance with submitting the worker email address when it was provided on Form I-9.**

- In July 2013, E-Verify implemented a major enhancement to send email notification to workers with TNCs. If workers provide their email address with their Form I-9 information, employers are required to submit this information to E-Verify. Of the 83 percent of employers reporting that workers at least sometimes provide email addresses, close to half (47 percent) never submitted this information to E-Verify during the verification process (Figure E-3). Only one-third always submitted this information while 19 percent did so often or sometimes.

**Figure E-3. Among E-Verify users reporting that workers provided email addresses, percent reporting how often they submitted this information to E-Verify: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

- In July 2014, E-Verify implemented a duplicate case alert feature to prompt users when they are creating multiple E-Verify cases for the same worker. Although alerts could occur for several reasons and it does not mean that the case has to be closed, employers are required to view the case details and decide whether to continue with the case. Among the 30 percent of E-Verify respondents that ever had a duplicate case alert, 8 percent were noncompliant in that they clicked continue without viewing the case details, which could lead to inaccurate TNCs.

**In 2015, some employers did not follow the E-Verify Photo Matching procedures designed to detect identity fraud.<sup>9</sup>**

- Although 78 percent of respondents reported that they *always* adhered to the requirement of comparing the photograph returned by Photo Matching in the E-Verify process to Form I-9 document provided by the worker, 21 percent met this requirement often or sometimes, while 1 percent never did so. Additionally, 70 percent of employers reported always comparing the picture on the document the worker provided to the person. This violation of E-Verify Photo-Matching requirements may indicate employer confusion with the Form I-9 process in which they are required to compare the picture on the document the worker provides to the worker.

**Overall, employers reported high levels of compliance with E-Verify rules for informing workers about TNCs, processing TNCs using the Further Action Notice (FAN), and responding to Final Nonconfirmation (FNC) requirements.**

- Almost all employers reported that they informed workers about TNC findings although a few did not, which denies workers the opportunity to correct their records. Among the 19 percent of employers with workers receiving TNCs, 3 percent reported that they at least sometimes fired the worker without informing them about the finding and 2 percent at least sometimes did not tell workers about the finding but allowed them to continue working.<sup>10</sup>
- The FAN and Referral Date Confirmation replaced the TNC Notice and Referral Letter in September 2013 to explain the reason for the TNC, the worker's right to contest it, and how to resolve the problem. Among the 19 percent of E-Verify users that had workers receiving TNCs in 2015, close to two-thirds (62 percent) reported using the FAN to process the finding. Almost all employers using the FAN met the requirements for always informing workers in private (99 percent), always signing the FAN after workers sign it (93 percent), and always providing workers with the Referral Date Confirmation (95 percent). In addition, 81 percent always kept a copy of the workers' signed FANs, and in situations when workers needed translated versions of the FAN, 89 percent of the employers met this requirement. Although small, the percentages of employers that did not follow the rules raise concerns about the proper use of E-Verify.
- According to the 2014 E-Verify User Manual, employers may exercise their legal right to allow workers to continue to work after receiving FNCs and must select the appropriate closure statement. Among the 5 percent of employers with workers receiving FNCs in 2015, most (73 percent) reported that their companies always terminated the worker's employment immediately,<sup>11</sup> and another 14 percent did so sometimes.

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<sup>9</sup> In providing instructions for confirming worker identity during the Photo Matching process, the E-Verify manual states "Do not compare the photo displayed by E-Verify to the actual employee. Employers should have directly compared the document to the employee during Form I-9 completion and prior to creating the E-Verify case."

<sup>10</sup> The 2015 survey did not ask a direct question about whether employers inform workers at all about their TNCs.

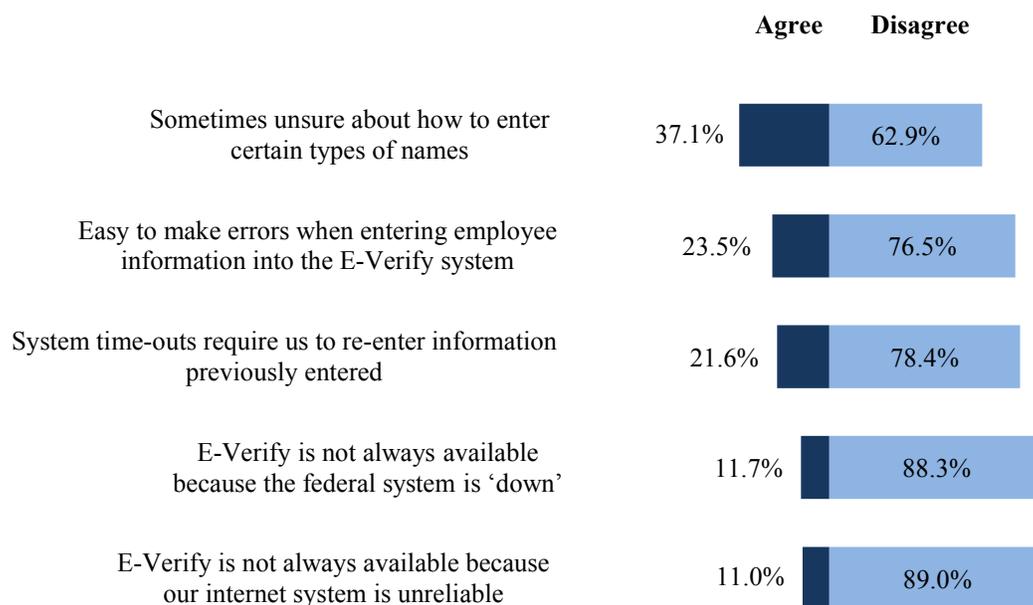
<sup>11</sup> No time period was specified with the word "immediate" in the survey.

### 3.3 Employer Satisfaction with E-Verify Features and Resources

This section highlights findings on the extent to which employers are satisfied with various E-Verify features and resources, including satisfaction with the E-Verify enrollment process, online tutorial, system navigation, system reliability, program resources, and technical help.

- **Most E-Verify users held highly positive views about their experiences with the online enrollment process although some challenges persist for employers.** In 2015, while 86 percent of employers agreed that the enrollment process was easy to complete, some viewed the process as too time-consuming (22 percent).
- **E-Verify users were highly satisfied with various aspects of the online tutorial, although sizeable percentages felt it took too long to complete.** In 2015, almost all E-Verify users agreed that the tutorial adequately prepared them to use E-Verify (95 percent), that its content was easy to understand (95 percent), and that the tutorial answered all of their questions (92 percent). However, some users felt that the tutorial took too long to complete (32 percent) although changes in employers' perceptions from 2008 suggest a reduction in burden regarding the time to complete the tutorial.
- **Virtually all E-Verify users reported that E-Verify was user-friendly although some challenges remain in minimizing data entry errors.** More than one-third (37 percent) of E-Verify users experienced difficulty in entering some names into the system, and this percentage did not change significantly from 2010 despite ongoing E-Verify enhancements and added on-screen instructions to supplement recent updates to Form I-9 in 2013 (Figure E-4). In addition, 24 percent indicated that it was easy to make errors when entering worker information into the E-Verify system despite the implementation of pre-TNC checks since 2007.

**Figure E-4. Percent of E-Verify users reporting whether they agreed with various statements about using the E-Verify system: 2015**



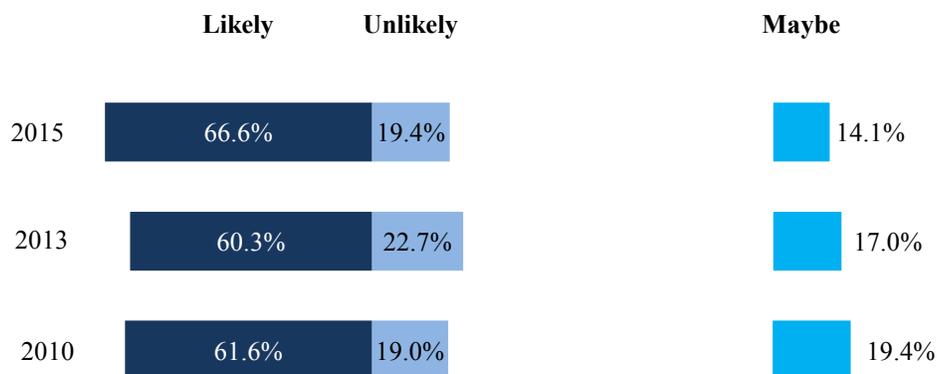
NOTE: For each item, sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

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- In 2015, some employers reported several difficulties in accessing E-Verify which could seriously hinder their ability to confirm employment eligibility in a timely manner and thus meet program deadlines.** For example, users reported that E-Verify was not always available because the federal system was down (12 percent) or the employers’ own Internet system was unreliable (11 percent). In addition, 22 percent of users reported problems with system timeouts requiring data reentry.
- E-Verify users held positive views of the E-Verify online resources including the User Manual, tutorial, webinars, reports, and more recently available quick reference user guides to supplement the User Manual. However, except for the online tutorial, sizeable percentages of users were either not aware of these online resources or had never used them.** In 2015, while more than half (56 percent) of E-Verify users felt that the online User Manual was helpful, 8 percent were not aware of the resource and 33 percent had never used it. In addition, although 27 percent of E-Verify users found the online webinars helpful, 13 percent were not aware of the resource and 54 percent had never participated in them. This pattern is similar for more recently available resources; for instance, 52 percent felt the *E-Verify Quick Reference Guide* was helpful but 9 percent were not aware of this supplemental guide and 38 percent had never used it.
- While a majority of E-Verify users reported that they had no need to call the E-Verify Technical Help Desk or Customer Service number, most of the respondents who did call these resources reported being satisfied with their experience.** In 2015, a majority of E-Verify users (71 percent) did not call the E-Verify Help Desk or Customer Service, mostly because they had no need to call. Almost all employers that requested assistance reported satisfaction with contacting the Help Desk (96 percent), Customer Service (97 percent), or either the Help Desk or Customer Service (98 percent). These percentages represent significant increases from 2010 in levels of user satisfaction with contacting the Help Desk and Customer Service.
- A majority of mandated employers (67 percent) reported that they would be likely to continue using E-Verify, even if they were not required to do so (Figure E-5). This percentage did not change significantly since 2010. When asked about reasons for this position, respondents most frequently cited improving the company’s ability to confirm work authorization; avoiding possible ICE audit/raid/fine; satisfying clients’ requests/preferences; and remaining competitive with other companies.

**Figure E-5. Among E-Verify users mandated to use E-Verify, percent reporting the likelihood of their company continuing to use it if no longer mandated: 2010, 2013, and 2015**



NOTE: For each item, sum may not add to 100 percent because of rounding.

SOURCE: National Surveys of E-Verify Employers: 2010, 2013, 2015.

### 3.4 Employer Recommendations for Changes to E-Verify

Employers were asked whether they supported, opposed, or had no opinion about potential E-Verify changes that have been debated by policymakers and supported by employers in previous E-Verify studies. These changes, many of which would require legislative changes, include expanding mandatory E-Verify to include additional types of workers and companies and improving employers' ability to confirm worker identity.

- A majority of employers indicated support for expanding E-Verify to include other types of workers and companies, although sizeable percentages did not offer an opinion about the potential changes.** A majority of E-Verify users in 2015 indicated support for requiring all employers in the United States to use E-Verify and allowing verification of job applicants (71 percent and 70 percent, respectively), although some did not offer an opinion (20 percent and 23 percent, respectively). These percentages either increased or remained stable from 2013 and 2010, suggesting continued employer support for the potential changes. In 2015, more than half (53 percent) of the employers also indicated support for allowing employers that are not federal contractors to verify all existing employees while 41 percent did not have an opinion.
- E-Verify users also indicated support for other types of potential changes although some did not offer an opinion.** In 2015, half of E-Verify users (50 percent) were in favor of increasing the types of documents that can be used to in Photo Matching and 25 percent were in favor of allowing employers to take and verify finger prints to improve employers' ability to confirm worker identity. In addition, 47 percent of E-Verify users indicated support for adding a formal appeal process that employers or their employees could use if they disagree with the final case finding.
- All survey respondents were given the opportunity to provide additional comments or suggestions for improvements to E-Verify. Consistent with employer feedback from previous survey cycles, the most common suggestions were to increase the types of documents that can be used with Photo Matching and allowing E-Verify users more than three days to confirm work authorization.** Other suggestions included additional training or examples for long single, or hyphenated names; allowing employees more time to correct paperwork and other issues resulting in TNCs; and simplifying password procedures by making the password requirements less restrictive and not requiring users to change passwords as frequently. It should be noted that some changes may not be possible or desirable. For example, password requirements are mandated for all federal systems, including E-Verify, and cannot be simplified or modified to require less frequent updates without changes to policies for all federal systems.

## 4. SUMMARY OF RECOMMENDATIONS

This section presents the recommendations described in Chapter VIII of this report. The recommendations are based on survey findings described in section 3, including possible actions needed to reduce unauthorized employment, prevent undue burden on employers, safeguarding workers from verification-related discrimination, and protecting privacy and workers' civil liberties by increasing employer compliance with E-Verify rules.

### 4.1 Reducing Unauthorized employment

- Congress should continue its consideration of legislation making E-Verify mandatory for all employers and allowing or requiring all employers to verify their existing workforces. Such expansion would decrease the ability of workers to obtain employment by avoiding E-Verify employers or by continuing to work for employers that enrolled in E-Verify after they were hired. It

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should be noted that such expansion would probably be perceived as burdensome by at least some of the employers that have not previously volunteered to use E-Verify.

- USCIS should work with congressional stakeholders to establish a small time-limited pilot program to test and evaluate a provision allowing employers to verify that job applicants are employment authorized prior to hiring them. Prescreening is prohibited by statute because of its likely discriminatory impact on workers; however, its use would reduce the time that unauthorized workers can be employed, which would be welcomed by most E-Verify employers that may face significant burdens when required to terminate employees who receive FNCs. A pilot program would permit a better understanding of the ramifications of such an E-Verify modification.
- Congress should consider modifying legislation that prevents the use of Photo Matching of driver's licenses in E-Verify.
- Congress should consider modifying E-Verify legislation to require termination of employment for workers receiving FNCs after they and/or their employers have exhausted any available opportunities to review their cases.<sup>12</sup>
- USCIS should specify time frames within which workers must be notified of TNCs and when actions should be taken after workers receive FNCs to minimize the time that unauthorized workers are permitted to work. Although employers report that they promptly notify workers of TNCs and act on FNCs, the lack of rules governing these time frames makes it difficult to monitor and correct the behavior of employers that do not do so.
- USCIS should review and, as needed, revise employer materials that explain proper Photo Matching procedures to improve the effectiveness of this identity check. The relatively high noncompliance of employers to the Photo Matching rules could mean there is some confusion about proper procedures that could benefit from clearer instructions to employers. One possible way of doing this would be to create a short E-Verify multi-media on-demand resource to explain Photo Matching.

### 4.2 Preventing Undue Burden on Employers

- Congress should consider extending the three-day rule for creating a case for verification to five business days. Although extending the rule on when E-Verify queries must be initiated would require a change in legislation, more employers are choosing to outsource E-Verify, and the work environment is becoming more complex (e.g., use of offsite, temporary, and part-time workers), making it more likely that Form I-9 documents need to be transferred to another location for use in E-Verify. Such an extension of the three-day rule would likely make E-Verify more appealing to some employers. However, it would prolong the time that workers without work authorization would be able to keep working.
- USCIS should consider conducting some testing with E-Verify employers to gain insights into specific ways in which the tutorial can be streamlined, if possible, without losing critical content and concepts. The time taken to complete the tutorial has been a consistent employer complaint. USCIS has taken steps to reduce the time taken to complete it, but it is likely that more can be done in this area.
- USCIS should consider an E-Verify system enhancement to include an “auto save” feature to eliminate the need for employers to reenter worker information lost during system timeouts.

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<sup>12</sup> It is our understanding that USCIS is in the process of approving and then implementing a formal review process for FNC recipients.

- USCIS should continue to identify the specialized needs of different subgroups of employers and create materials targeted to these subgroups and should also consider whether E-Verify procedures need to be modified to meet their needs. The ongoing expansion of USCIS outreach efforts should be sensitive to the varying needs of subgroups, including small employers, employers in high-risk industries, and employment services providers. The increased use of E-Verify results in increases in the size of many employer subgroups, making such targeting more cost-effective than it was in the past.

#### **4.3 Safeguarding Workers from Verification-related Discrimination and Protecting Privacy and Workers' Civil Liberties**

- Adapt and/or supplement current training materials, tutorials, webinars, FAQs, and on-screen help to place further emphasis on instructing employers about procedures known to lead to violations of E-Verify and Form I-9 requirements (e.g., three-day rule and prescreening, additional instructions and examples for entering long and single names, using E-Verify for existing workers when not permitted by current procedures, and the procedures to follow for workers who receive TNCs and FNCs).
- To the extent feasible, USCIS should use just in-time methods to inform employers of their responsibilities to adhere to E-Verify provisions designed to minimize discrimination and safeguard workers' rights. For example, since employers may go for some time without having any workers receiving TNCs,<sup>13</sup> it would make sense to send emails to employers about how to process TNCs when the employer has a worker who receives a TNC after a specified period of time without having any TNCs. The evaluation team is suggesting that this notification be sent in an email to E-Verify program and corporate administrators because employers are not required to have general users.<sup>14</sup> Additionally, program administrators and general users are responsible for creating cases but they may not be the same staff responsible for interfacing with workers who receive TNCs.
- USCIS should prepare specific stand-alone job aids for employers to print out from the E-Verify website and post in locations where verifications are conducted. The purpose of the job aids is to remind users about the key E-Verify requirements and their responsibility to ensure the security of user names and passwords, the sharing of which can lead to circumventing taking the tutorial and additional violations.
- USCIS' Monitoring and Compliance branch should consider the discriminatory behaviors noted in the findings of this report as they expand their algorithms to detect misuse.
- The worker's email address, if provided on Form I-9, should be a required data input field in E-Verify and Monitoring and Compliance should identify employers that appear to be violating this requirement. Email notification of workers receiving TNCs should help ensure that workers are informed of TNCs when employers fail to properly inform them.<sup>15</sup> Employer compliance with the requirements for notifying workers of their TNC findings also should be monitored closely to ensure that the email notification enhancement for workers does not result in employers becoming less likely to notify workers of TNCs.
- USCIS and SSA should continue work on developing an administrative process that workers and their employers can use if they disagree with the final E-Verify finding and expand the process under consideration to include employers as well as workers. In considering this review, USCIS should be

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<sup>13</sup> Only 10 percent of employers had workers who received TNCs in January-March 2015.

<sup>14</sup> See <https://www.uscis.gov/E-Verify/getting-started/enrollment-process/user-roles>.

<sup>15</sup> See the 2016 accuracy report for additional recommendations related to strengthening the email notification process.

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aware of the potential disadvantage of prolonging the time that unauthorized workers can be employed by a given employer.

### 4.4 Future Research

The evaluation team believes that the following recommendations for future research should be given priority:

- A survey or special study of EEAs and their clients should be conducted. These employers were last studied in 2010. Although EEAs constituted only 4 percent of E-Verify employers in 2015, they transmitted 43 percent of E-Verify cases.
- USCIS should consider conducting a study of employment agencies—both permanent placement agencies and temporary help agencies—that use E-Verify. There has never been a study of this group of employers that have unique verification needs and whose understanding of E-Verify policies and practices are often different than those of regular E-Verify users.
- USCIS, in conjunction with professional or similar associations, should conduct focus groups and/or surveys of employer subgroups—including, but not limited to, small employers, employment agencies, and EEAs—to better understand their unique E-Verify needs. These small-scale studies would be helpful in increasing the awareness of E-Verify among associations as well as individual employers and will be helpful to USCIS in targeting their informational and training materials to meet the unique needs of these employers. Both E-Verify users and nonusers should be consulted. One approach to this effort would be to develop targeted materials based on the information in this report and then have focus groups comprised of specific groups react to them.
- USCIS should continue its practice of evaluating E-Verify periodically as long as major changes continue to be made.

# CHAPTER I. INTRODUCTION

## 1. PURPOSE OF THE STUDY

E-Verify,<sup>16</sup> an Internet-based system, allows U.S. employers to confirm the employment eligibility of their new hires by comparing information from an employee’s Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security (DHS) and Social Security Administration (SSA) records. Originally created by the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, this legislation authorized the then Immigration and Naturalization Service—which became part of DHS in 2003—to conduct three pilot programs to determine the most effective method of confirming a worker’s employment eligibility. The Basic Pilot Program was launched in 1997 and was reauthorized in 2001, at which point DHS began officially tracking the number of participating employers and cases transmitted by these employers. Since then, the Basic Pilot Program was expanded in scope and extended several times, evolving into a web-based version in 2004 and renamed E-Verify in 2007. Congress extended E-Verify’s authorization several times since it was initially authorized and it has grown substantially since its inception. The goals of E-Verify, as specified in the legislation, are to reduce the employment of individuals unauthorized to work, reduce verification-related discrimination, prevent undue burden on employers, and protect privacy and workers’ civil liberties.

This report is part of a multiyear independent evaluation of E-Verify. It presents the results of a survey of E-Verify employers conducted in 2015 that collected data on E-Verify employers’ opinions on and experiences with using E-Verify for their companies. When possible, this report compares the findings of the 2015 user survey to the results of Westat’s prior E-Verify user surveys conducted in 2008, 2010, and 2013.<sup>17</sup> This report also presents findings related to new topics included in the 2015 user survey.

The report’s primary goals are to address the following research questions:

- What are the characteristics of E-Verify users<sup>18</sup> and what are their motivations for using E-Verify?
- To what extent is E-Verify meeting the goals set by IIRIRA to reduce unauthorized employment while avoiding discrimination against employment-authorized workers and preventing undue burden on employers?
- How well do employers understand and comply with program requirements?
- How satisfied are employers with current E-Verify features and resources, and communication with U.S. Citizenship and Immigration Services (USCIS)?
- To what extent are employers aware of and satisfied with the recently implemented duplicate case alerts and Further Action Notice?
- What are recommended future program changes?

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<sup>16</sup> Throughout the report, the term “E-Verify” may refer to the overall program or the electronic system used to operate it.

<sup>17</sup> Appendix E contains the questionnaire used in 2015 survey. To view the questionnaires for the 2013, 2010, and 2008 surveys, please refer to *Findings of the E-Verify User Survey*, April 30, 2014 ([https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/EVerify%20Studies/E-Verify\\_User\\_Survey\\_Report\\_April2014.pdf](https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/EVerify%20Studies/E-Verify_User_Survey_Report_April2014.pdf)). Each survey year refers to the year data were collected. For the 2015 survey, data were collected between August and December 2015; for the 2013 survey, between March and June 2013; for the 2010 survey, between August and November 2010, and for the 2008 survey, between March and June 2008.

<sup>18</sup> Throughout this report, the phrase “E-Verify users” refers to enrolled employers or their designated staff (e.g., human resources personnel) that use the program on behalf of companies.

As Congress and the nation as a whole struggle with immigration reform and the role of E-Verify, the information gathered to address these questions should be helpful in contributing to the discussion generally and, more specifically, in shaping future enhancements and legislation related to electronic employment eligibility verification programs.

## **2. DESCRIPTION OF E-VERIFY**

All workers hired after November 6, 1986, along with their employers, are required to complete Form I-9, Employment Eligibility Verification, which employers must use to attest that they have verified that a new employee is authorized to work. As part of this process, employers examine original documents provided by the employee such as immigration documents, U.S. passports, or driver's licenses that are evidence of the worker's identity and work authorization.

E-Verify provides employers with a free Internet-based system that compares information from a worker's Form I-9 to data available from DHS and SSA databases to confirm identity and employment eligibility. To participate in E-Verify, employers must sign a Memorandum of Understanding (MOU) in which they agree to comply with all of the E-Verify requirements. Employer participation in E-Verify is voluntary, although it may be required as a condition of entering into a federal contract that contains the Federal Acquisition Regulation (FAR) E-Verify clause or as a condition of business or employment licensing or state contracting in states that have enacted E-Verify legislation.

Information that employers enter from Form I-9 into E-Verify is automatically sent to SSA for comparison with data in SSA records. Information for most noncitizens and some citizens is also compared with data in DHS records. Other information may be compared with Department of State or state DMV data.<sup>19</sup> Most often, employers receive immediate notification that the new hires are authorized to work. In some cases, notification is delayed for approximately a day to allow time for USCIS to check additional data sources to determine work authorization. In some cases, the records do not permit confirmation of the worker's work authorization based on an initial review.

When E-Verify cannot initially confirm that the worker is authorized to work, a Tentative Nonconfirmation (TNC) is issued. A TNC might indicate that a person is not authorized to work, but it also might occur for other reasons such as data entry errors or a worker not registering a change in name or citizenship with the appropriate agencies. Employers are required to inform workers about TNCs in writing and give them the opportunity to contest the finding by contacting SSA in person or DHS by telephone and resolving any problems with their records.<sup>20</sup> If a worker fails to make this contact within eight federal workdays of the case referral, E-Verify issues a Final Nonconfirmation (FNC) result and his or her employer may terminate the worker from employment. If an employer allows a worker to continue working after receiving an FNC, the employer is required to notify DHS of this decision.<sup>21</sup>

A more extensive overview of the design of E-Verify is provided in Appendix B.

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<sup>19</sup> The Department of State and state DMV databases are checked if the worker presents a U.S. passport or passport card, or a driver's license or ID card from a state participating in the Records and Information from DMVs for E-Verify (RIDE) initiative, respectively. As of February 2015, states participating in RIDE included Mississippi, Florida, Idaho, Iowa, and Nebraska.

<sup>20</sup> On July 1, 2013, USCIS updated E-Verify to include a field for the worker's email address. Employers are required to enter the worker's email address into E-Verify if the worker provided one in the optional field on Form I-9. The inclusion of an email address in E-Verify enables USCIS to also notify a worker of a TNC and to send other related emails directly to the worker.

<sup>21</sup> This is done by closing the case in E-Verify with a code indicating that the worker continues to work after receiving an FNC.

### 3. FEDERAL, STATE, AND LOCAL MANDATES TO USE E-VERIFY

#### 3.1 Federal Mandate

Executive Order 12989, as amended by Executive Order 13465 (June 6, 2008), directs federal agencies to require that federal contractors and their subcontractors electronically confirm the employment eligibility of their workers. The amended Executive Order reinforces the policy, first announced in 1996, that the federal government does business with employers that have a legal workforce. The rule affects federal contractors that are awarded a new contract on or after September 8, 2009 that includes the FAR E-Verify clause (73 FR 67704).<sup>22</sup>

Federal contractors participating in E-Verify under the FAR clause must follow most of the same E-Verify rules and procedures as other E-Verify employers. However, unlike other E-Verify employers, federal contractors are required to electronically check the work authorization of existing employees who will be working on federal contracts that include the FAR clause. Federal contractors must create E-Verify cases for new employees and existing employees assigned to the contract within the first 90 days of program enrollment or within 90 days of the contract award date if the employer is already a user.<sup>23</sup> Additionally, federal contractors are permitted to use E-Verify for *all* existing employees, if they choose. During the enrollment process, these employers must indicate which group(s) of workers they plan to verify.

Congress has also demonstrated interest in expanding the current E-Verify Program and possibly instituting mandatory electronic employment verification for all, or a substantial percentage, of the nation's employers. As recently as February 2015, Representative Lamar Smith (R-Texas) introduced The Legal Workforce Act (H.R. 1174), which would have required all U.S. employers to confirm the work eligibility of all future hires through E-Verify. The House Judiciary Committee approved the bill. In April 2015, Senator Charles Grassley (R-Iowa) introduced a counterpart bill, The Accountability Through Electronic Verification Act of 2015 (S. 1032), which was referred to the Committee on the Judiciary where it remains.

#### 3.2 State and Local Mandates

Legislation requiring the use of E-Verify as a condition of licensing or contracting has also taken place at the state level. The number of states enacting legislation requiring all or some employers to use E-Verify as a condition of business or employment licensing or state contracting or to obtain benefits such as tax incentives, increased between 2008 and 2015. A list of state legislation showing the use of E-Verify at the time of the 2008 and 2013 user surveys, as well as whether participation in E-Verify is required as of February 2015, can be found in Appendix C.

### 4. REPORT ORGANIZATION

The report is organized into seven chapters. Chapter I provides background on the study and Chapter II discusses the methodology. Chapter III profiles the E-Verify user population, including employers' reasons for participating in E-Verify. Chapter IV examines the extent to which E-Verify is meeting its

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<sup>22</sup> The rule can also be implemented into existing contracts when there is a change order or material modification (73 FR 67651-01). For more information, see USCIS website: <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=534bbd181e09d110VgnVCM1000004718190aRCRD&vgnnextchannel=534bbd181e09d110VgnVCM1000004718190aRCRD>.

<sup>23</sup> There are some limited exceptions to the requirement to use E-Verify for all new hires.

goals based on the opinions and experiences of employers. Chapter V examines how well employers have complied with the requirements of E-Verify. Chapter VI presents E-Verify from the employers' perspective, addressing issues of satisfaction and presenting employer recommendations. Chapter VII presents report findings by specific employer characteristics. Chapter VIII provides conclusions and recommendations for USCIS based on the findings in the previous chapters, and a glossary follows the report. Appendix A provides detailed tables of estimates and standard errors, including national estimates and breakouts by selected employer characteristics for each of the analysis chapters III-VI. Appendix B provides details about the design of E-Verify, and Appendix C summarizes current state legislation related to E-Verify. Appendix D provides a detailed table of the impact of changes in sampling methodology between 2008 and 2010. Appendix E contains the questionnaire used in 2015 survey.

## CHAPTER II. RESEARCH METHODS

### 1. SAMPLE DESIGN

The 2015 E-Verify Employer Web Survey sample consisted of 3,813 employers from a sampling list of 81,631 eligible employers from the E-Verify Transaction Database.<sup>24</sup> The employer sample was selected using a stratified random sample design (see description of sampling approach on page 6). The sample size provided a reasonably high precision for the estimates obtained from this survey. Statistical power analysis was conducted to determine that the sample size is adequate to detect reasonable differences in estimates over the survey cycles with adequate statistical power.

The survey required recent involvement with E-Verify so that respondents would be informed about its current features. To be eligible for the survey, a company had to have been in business at the time of the survey and had to have:

- Submitted cases to E-Verify between January 1 and March 31, 2015; or
- Formally terminated involvement in E-Verify between October 1, 2014, and March 31, 2015; or
- Signed a Memorandum of Understanding (MOU) for E-Verify before March 31, 2015, but not transmitted any cases to E-Verify between October 1, 2014, and March 31, 2015.

E-Verify Employer Agents (EEAs) and their clients were not eligible for the survey.<sup>25</sup>

Of the 3,813 employers in the survey sample, 322 were found to be out of scope, because they were no longer in business, were duplicate listings of a company, or were EEAs or clients of EEAs. Of the remaining 3,491 eligible employers, 2,851 (82 percent) completed the survey. The weighted response rate was 85 percent. More information on response rates is provided later in this chapter (see Table II-1).

The 2015 survey was company (headquarters/firm) based as were the 2013 and 2010 surveys.<sup>26</sup> By contrast, the 2008 survey was establishment (location/branch) based so that a company with multiple locations, such as a department store with multiple stores in various cities, could have multiple chances of selection in 2008 and sometimes appeared in the sample multiple times. The decision to sample at the full company level was made to eliminate or alleviate problems encountered in the 2008 data collection sampled at the establishment level (e.g., the problem of multiple locations of the same company being included in the sample).<sup>27</sup> The targeted respondents to the 2015, 2013, and 2010 surveys were those users that the company declared to be the most knowledgeable about the company's E-Verify procedures; typically, such a person would be at the company headquarters.

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<sup>24</sup> The Transaction Database contains information on every case submission to the E-Verify system.

<sup>25</sup> EEAs use the E-Verify system on behalf of other employers (clients) to confirm employment eligibility of the employers' new hires.

<sup>26</sup> A franchise that was independently owned and had acquired the rights to use the name of a national chain was considered a company rather than a branch of a larger company. For simplicity, this report treats the term "company" as being synonymous with "employer," "firm," "headquarters," or other types of E-Verify participants (e.g., government entities, unincorporated employers, sole proprietors).

<sup>27</sup> A more extensive discussion of this change in sampling procedures is provided in the Westat report, *Findings of the E-Verify User Survey*, July 8, 2011 ([http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/EVerify%20Studies/Findings\\_of\\_the\\_EVerify\\_User\\_Survey.pdf](http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/EVerify%20Studies/Findings_of_the_EVerify_User_Survey.pdf)).

EEAs and their clients were excluded from the 2015, 2013, and 2010 samples.<sup>28</sup> Because EEAs and their clients had been sampled in 2008, all 2008 data from these employers were excluded from the analyses presented in this report to ensure that data across all four data collection years were comparable. (See Section 7 for more detailed information.)

The Web survey sample was grouped by E-Verify participation status, industry type, number of E-Verify Tentative Nonconfirmations (TNCs), and number of workers. Within each sampling subgroup, the employers were selected using probability proportional to size (PPS) sampling. A different measure of size (MOS) was used in each sampling subgroup defined by the E-Verify participation status as defined below. The square roots of the numbers of TNCs and transactions submitted to E-Verify between January 1 and March 31, 2015, were used as the MOS for the active E-Verify employers with TNCs and with no TNCs, respectively.<sup>29</sup>

For inactive employers, the cube root of the number of workers was used as the MOS.<sup>30</sup> E-Verify participation status was defined as follows:

- **Active employers with TNCs.** Employers in this sampling subgroup had at least one TNC response to a case submitted to E-Verify between January 1 and March 31, 2015. TNCs indicate that the worker's employment authorization could not be confirmed based on information submitted by the employer when compared to data in federal records. The experience of receiving a TNC is of interest because this mismatch leads to additional actions by the employer (e.g., notifying the worker of the TNC) and by the worker, who has the option of contesting the finding and taking steps to resolve the discrepancy. Because only 10 percent of all active employers in the sampling list had experienced a TNC, this stratum was oversampled compared to the remaining subgroups to ensure there were adequate numbers for analysis of employers having had experience with the TNC process.
- **Active employers with no TNCs.** Employers in this category had transmitted at least one case to E-Verify between January 1 and March 31, 2015. However, none of their workers received a TNC during that time period.
- **Inactive employers.** This group includes both (1) employers that had formally terminated use of the system between October 1, 2014, and March 31, 2015, and (2) employers that had not formally terminated use of the system but had signed an MOU between July 1 and September 30, 2014, and had not had any transactions in the six months ending in March 31, 2015.

Industry type was defined as the following:

- Employment agencies and temporary help services;
- Industries known to have relatively large percentages of undocumented workers (referred to as high-risk industries throughout the report);<sup>31</sup> and
- All other industries.

<sup>28</sup> Inclusion of EEAs and their clients would have required a significant expansion of the survey to cover aspects of E-Verify that are unique to these users; available resources did not permit their inclusion in the 2015 survey. However, it should be noted that EEAs and their clients were the subject of an in-depth case study in 2010.

<sup>29</sup> Using full size measures without a square root transformation would have been most efficient for the statistics of interest related to the numbers of TNCs or transactions, while equal probability sampling would have been very efficient for making inferences for characteristics of employers. Using a square root of these measures provided a compromise between the two objectives.

<sup>30</sup> After examining the distribution of the number of employees, the cube root transformation was used instead of the full size measure for the same reason mentioned above for the active employers.

<sup>31</sup> These industries were Agriculture, Forestry, Fishing, and Hunting; Construction; Food Manufacturing; Services to Buildings and Dwellings; Accommodations; and Food Services and Drinking Places. The definition of this category is based on the following report: Jeffrey S. Passel and D'Vera Cohn, Pew Hispanic Center, *A Portrait of Unauthorized Immigrants in the United States*, April 14, 2009.

Because there was only a small number of employment agencies (i.e., permanent placement firms and temporary staffing agencies) in the sampling list,<sup>32</sup> this subgroup was oversampled compared to other types of industries to ensure adequate numbers of cases for analysis. Employment agencies were oversampled within each of the three participation status groups. Inactive employment agencies were selected with certainty since the number of employers in this subgroup was very small.

## 2. INSTRUMENT DESIGN AND DEVELOPMENT

As a first step to draft the questionnaire for the 2015 study, Westat established a working group of USCIS content experts, an in-house survey methodologist, and USCIS' E-Verify evaluation researchers to identify new topics and assess the relevance, usefulness, and burden of each 2013 survey item in relation to E-Verify's goals and recent changes. Westat developed a pretest draft of the 2015 survey by incorporating feedback from two working group meetings to add new items and modify or drop a significant number of items from the 2013 survey.

### 2.1 Selection of Questions for the Survey

Many of the questions asked in the 2015 Web survey were taken directly from the Web survey used in the 2013, 2010, and 2008 evaluations. The following modifications were made for the 2015 survey instrument:

- A series of questions about the duplicate case alert was added. The duplicate case alert feature was added to E-Verify in June 2014 and notifies users when a case contains the same Social Security number (SSN) as an existing case they entered within the last 30 days. These questions were included to examine how users were implementing procedures associated with the duplicate case alert.
- A series of questions about the Further Action Notice (FAN) was added to examine how users were implementing procedures associated with the FAN and their satisfaction with it. In September 2013, E-Verify modified its [TNC](#) process by combining the TNC Notice and Referral Letter into one document—the Further Action Notice.
- Several questions were added to examine users' understanding of the worker email address field and the extent to which it is used. This field became available on July 1, 2013. When the worker's email address is entered from the Form I-9, it enables E-Verify to concurrently notify a worker of a TNC and to send other related emails directly to the worker.
- A series of questions that was added in 2013 to obtain information about employers' experiences with the then newly instituted Self Check program was deleted.

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<sup>32</sup> Employment agencies are self-identified in the E-Verify Transaction Database based on a North American Industry Classification System (NAICS) code of 5613 (Employment Services). These companies include employment placement agencies, executive search services, temporary help services, and professional employer organizations. Employment agencies comprised 6 percent of active employers with TNCs, 1 percent of active employers with no TNCs, and 0.1 percent of inactive employers. During the enrollment, employers either enter (if they know the first three digits of their NAICS code) or select from the system-generated NAICS code (if they do not know). According to the Transaction Database, most employers use the three-digit while some use the four- or five-digit NAICS code. To be able to identify employment agencies, the analysis has to rely on at least a four-digit code (e.g., 5613 for Employment Services) instead of a three-digit code (e.g., 561 for Administrative and Support Services). In addition, sometimes employers entered or selected the NAICS codes of the industry in which they provided the placements or temporary workers (e.g., healthcare, accounting services). Although Westat examined (through a Web search) employers that used three-digit codes or examined the names of employers to re-classify many as employment service, it is impossible to capture all employment services accurately. Therefore, the number of employment services may be underestimated.

- Cost questions were revised by eliminating questions on specific costs and adding general questions about costs and the extent to which they created a problem. This was done to decrease respondent burden, since cost questions were often difficult for employers to answer.
- The “not applicable” response option was removed from items that should be applicable to all respondents, and a “don’t know” response option was added in its place to accommodate situations where the current respondent could not recall historical information, or did not have enough information to respond to the item. The “don’t know” option was included to prevent nonresponse.
- The format of some questions was modified to reduce burden on respondents (e.g., by splitting long grids into several questions and asking for contact information in a more user-friendly manner).
- Several open-ended questions were added to allow respondents to elaborate on their answers for some of the grid questions.
- Some new response items were added to grid questions.
- The two separate sections on verification procedures (one for employment/temporary agencies and one for other industries) were combined with explicit directions for each group responding.

## 2.2 Pretesting of the Draft Survey

The initial hard copy drafts of the different versions of the Web survey were pretested with five groups of employers (i.e., small, medium, large, and very large companies, and employment agencies) to verify that the questions were clear and examine the time taken to complete the survey.<sup>33</sup> The research team conducted these focus groups using WebEx, a Web hosting service for integrated teleconferencing. The team then modified the survey based on input from these focus groups. Additionally, survey methodologists from Westat’s usability testing group reviewed and revised the survey instructions for clarity, accuracy, and succinctness.

## 2.3 Development and Testing of the Web Survey

Using the hard copy versions of the questionnaires as a guide, combined with specifications concerning skip patterns and edit checks, programming staff developed an online version of the Web survey. Major skip patterns were included in the Web survey so respondents were asked only applicable questions. For example, inactive employers were not asked questions about their current use of E-Verify. The Web survey contained different modules for the populations of interest. A copy of the final version of the Web survey is contained in Appendix E.

The following is a list of the features of the online survey:

- The online survey made use of logins, passwords, and a Secure Sockets Layer (SSL) to ensure limited access and data security.
- Programmable conditional and skip logics were built in. All skips were conducted automatically based on respondents’ prior responses in the questionnaire so that employers were only asked those questions that were relevant.

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<sup>33</sup> Each focus group included six to eight participants selected using the same criteria by which the Web survey sample was chosen. Participation in the focus groups did not preclude employers from being selected for the Web survey sample.

- Validations and edits were designed to alert respondents if they missed questions or had entered inconsistent responses.
- Respondents were able to save and close the survey and then return to the next unanswered question at any time before submitting the survey as complete. Thus, respondents could complete the survey over multiple sessions, allowing the possibility to check records, consult with others, and choose those times that were most convenient for the respondent to complete the survey.
- Respondents were able to navigate back through the survey and change prior responses without data loss.
- Respondents were offered the opportunity to print a copy of their responses at any time during the process of completing the survey. This printed copy also informed them which questions were part of a skip pattern as well as which ones had not been answered.
- A receipt control module provided the evaluation team with real-time information on response rates and other survey statuses.

The Web survey was thoroughly tested to ensure that all of the features worked efficiently. For example, programming and project staff tested different scenarios to ensure that the skip patterns worked correctly, that the validation messages popped up correctly to alert users when they missed questions or entered inconsistent responses, and that it was easy to break off and return to the survey at a later time. Testing was an iterative process during which project staff provided feedback on issues found and programming staff updated the survey for another round of testing. Westat's usability testing group conducted a final round of testing, including testing for 508 compliance.

### **3. SURVEY MANAGEMENT SYSTEM DESIGN AND DEVELOPMENT**

The computerized survey management system (SMS) was initially designed in 2009 and was modified with each subsequent E-Verify employer survey data collection (2010, 2013, and 2015). A total reprogramming of the system was done for the 2015 Web survey. The reprogramming gave the SMS a more organized look and feel and increased its efficiency for both supervisors and callers. By using the SMS, no paper call records or transmittals were needed. Also, no additional data entry was required, as the SMS allowed for real-time updating by supervisors and callers, and respondents via the survey. Thus, one of the greatest advantages of the system was the wide variety of real-time reports available throughout the data collection period.

The following items were part of the 2015 SMS:

- The SMS required the use of logins, passwords, and an SSL to ensure limited access and data security. This allowed access to the SMS from a variety of locations and from multiple users, and it also allowed different authority levels for supervisors and callers.<sup>34</sup>
- The SMS provided multiple functions for monitoring and managing cases, including the ability to assign/reassign cases to specific callers, run status reports and "Alarm Reports" (overdue action required), monitor telephone appointments with respondents, and review refusals, problem cases, and tracing cases.

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<sup>34</sup>Supervisors were responsible for assigning cases to the callers who conducted nonresponse follow-up and for monitoring their progress.

- Entry validations and edits were designed to alert users to any missed fields where a response was required.
- The SMS and the survey worked in conjunction by allowing contact information to be updated from either one. Project staff could update information in the SMS and respondents could update information in the survey, thus allowing for the most recent respondent contact information to be available to both SMS users and survey respondents.
- Evaluation staff who conducted follow-up activities by phone could use the SMS to act as an electronic call record—setting appointments, updating contact information, and adding comments.

Programmers and project staff thoroughly tested the SMS, which was progressively refined until it was approved for use.

#### **4. STAFF TRAINING**

The Web survey allowed the instrument to be self-administered by the respondents. Support staff were active in sending reminder emails, conducting mailouts, staffing a help desk for respondents that had problems completing the questionnaire, calling employers to verify that the contact information was correct, prompting nonrespondents to complete the survey, and verifying questionable responses or obtaining missing data that were identified in the data review. To ensure that all project personnel conducted survey activities in a consistent manner, the evaluation team provided thorough training to the telephone callers and the supervisory staff who worked on the Web survey. For the caller staff, this training included an explanation of the purpose of the survey, review and explanation of caller duties, review of result codes, group role-playing scenarios, and individual instruction and practice using the SMS. Supervisory staff also participated in the training and practice for using the SMS.

#### **5. DATA COLLECTION**

Data collection took place during a four-month period starting in the last week in August 2015 and ending early December 2015.

The initial contact with employers was through an email from Westat containing the information that the employer needed to access and complete the survey. It also requested that the recipient provide information on who should be contacted if the recipient was not the correct contact person to complete the Web survey. The email included a letter on agency letterhead from USCIS' Director of Research and Evaluation explaining the reason for the survey and reminding participants of their agreement to cooperate with the evaluation as stated in the MOU. It also informed them that Westat would be conducting the survey and stressed that all information collected would be private.

When emails were returned as undeliverable, an email was sent to an alternative contact person if one was listed on the employer file provided by the USCIS contractor responsible for operating the E-Verify system. If there was no alternative contact person or if the email to the alternative contact person was also returned as undeliverable, Westat contacted the company by telephone to ascertain the correct contact person and sent the initial email to the new contact.

If the survey was not completed within approximately one week of the initial email contact, Westat sent a reminder email from the project mailbox to the employer. Telephone contacts to sampled employers that did not complete the survey started approximately one week after the reminder was sent. During the

remainder of data collection, five additional reminder emails from the project mailbox were sent to nonrespondents, including a final reminder sent during the final week.<sup>35</sup> Callers could also send reminder emails to nonrespondents to whom they had spoken and/or sent the survey login information.

FedEx packages were sent four times during the data collection period to different groups of sampled employers that had not responded to emails and where telephone reminders resulted in only one contact or no contact with a person. The packages contained the USCIS letter of invitation to participate in the survey and Westat's cover letter explaining the reason for the package, information for logging into the Web survey, and the need to let Westat know if there was an alternate staff member to complete the survey. Additionally, announcements about the survey urging employers that had been asked to participate to complete the survey, if they had not already done so, were broadcast three times on the E-Verify user website and Facebook and Twitter pages.

## 6. RESPONSE RATES

Table II-1 shows the number of eligible employers on the sampling list, the sample size, the number of respondents, and the response rate for each of the two major stratifying variables (participation status and industry type). Respondents had to have completed a minimum of 90 percent of all key items in order for the questionnaire to be considered completed.

Of the 3,813 employers in the survey sample, 322 were found to be out of scope, because they were no longer in business, were duplicate listings of a company, or were EEAs or clients of EEAs. Of the remaining 3,491 eligible employers, 2,851 (82 percent) completed the survey (Table II-1). The weighted response rate was 85 percent.<sup>36</sup>

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<sup>35</sup> After the first few reminders to all nonrespondents, reminders were sent to only some nonrespondents based on specific criteria, such as the current result code in the SMS and callers' input. For example, Federal Express packages were sent to cases that were assigned to tracing but not resolved (result code 10) and cases where the designated respondent was not yet contacted despite multiple phone and email attempts (result code 11 or 12). The final reminder was sent to all nonrespondents.

<sup>36</sup> The weighted response rate was calculated as the ratio of the weighted number of employers completing the survey to the weighted number of all eligible employers in the sample. The weight was the inverse probability of selection of each employer. Thus, the weighted response rate took into account the effect of differential sampling rates used across the subgroups of employers. The weighted response rate is an estimate of the rate that would have been realized if the entire study employer population was included in the survey.

**Table II-1. Web survey sample size and response rate, by participation status and industry type: 2015**

Stratum	Number of employers on sample frame	Number of employers selected <sup>1</sup>	Number of eligible employers	Number of completed surveys	Unweighted response rate <sup>2</sup>	Weighted response rate <sup>2</sup>
<b>Participation status</b>						
Active with TNCs	8,132	1,774	1,682	1,413	84	85
Active with no TNCs	69,325	1,269	1,210	1,042	86	86
Inactive	4,174	770	599	396	66	68
<b>Industry type</b>						
Employment agencies	1,064	607	548	457	83	85
High percentage of undocumented workers	21,268	1,630	1,496	1,192	80	83
Other	59,299	1,576	1,447	1,202	83	86
<b>Total</b>	<b>81,631</b>	<b>3,813</b>	<b>3,491</b>	<b>2,851</b>	<b>82</b>	<b>85</b>

<sup>1</sup>The number of selected employers includes employers that were found to be ineligible during data collection.

<sup>2</sup>The response rates were calculated after excluding ineligibles.

## 7. BACKGROUND CHARACTERISTICS OF SURVEY POPULATION

Data from the E-Verify Transaction Database were used to provide a brief overview of companies that participated in the 2015 E-Verify employer survey, based on the company’s industry type, size, and TNC status (Table II-2).

**Type of industry.** Survey participants were grouped into three broad industry groups: employment agencies, industries that have historically high percentages of undocumented workers (referred to as high-risk industries throughout the report),<sup>37</sup> and all other types of industries. In 2015, about 1 percent of the companies were employment agencies and 27 percent were classified as companies in industries with historically high percentages of undocumented workers (Table II-2). The dominant industry group represented in the survey population was “other type of industry,” with close to three-fourths (72 percent) of the companies belonging to industries other than employment agencies or high-risk industries.

**Company size.** Companies that participated in the 2015 E-Verify employer survey were also grouped into small, medium-sized, and large companies based on the number of employees recorded in the Transaction Database. For the survey data analyses, small companies were defined as having 1 to 19 workers, medium-sized companies had 20 to 99 workers, and large companies had 100 or more workers. In 2015, small companies accounted for 29 percent of companies that responded to the survey, medium-sized companies accounted for 47 percent of the respondents, and large companies accounted for 25 percent of the respondents.

<sup>37</sup>These industries were Agriculture, Forestry, Fishing, and Hunting; Construction; Food Manufacturing; Services to Buildings and Dwellings; Accommodations; and Food Services and Drinking Places. The definition of this category is based on the following report: Jeffrey S. Passel and D’Vera Cohn, Pew Hispanic Center, *A Portrait of Unauthorized Immigrants in the United States*, April 14, 2009.

**Table II-2. Distribution of E-Verify employers, by industry type and company size: 2015**

Characteristic	Percent
<b>Type of industry</b>	
Employment agencies	1.3
Companies with high percentages of undocumented workers	26.7
Other type of industry	72.1
<b>Company size</b>	
Small	28.6
Medium-sized	46.9
Large	24.5

SOURCE: E-Verify Transaction Database.

## 8. DATA ANALYSES

All survey estimates presented in this report were calculated using the sampling weights to be representative of the study population. In addition, missing survey responses were excluded from the analysis. When examining change over time or when making comparisons between two or more different groups of employers, tests of significance using *t*-test statistics were run to determine whether those differences might be due to random error associated with statistical sampling. Unless stated otherwise, this report only discusses differences that were statistically significant at the 0.05 level based on two-tailed tests.

Data comparisons may be affected by changes to response options for some items. For example, data collection issues that arose in the 2010 survey made it necessary to modify items and response options in the 2013 survey. For example, the “not applicable” response option was eliminated from some items where it was not an appropriate response option, and a “don’t know” response option was added in its place. There were some similar changes in the 2015 survey. Appropriate notes were added to the figures and tables, if applicable.

Data comparisons also may be affected by the change in how the sampling was performed in the 2008, 2010, 2013, and 2015 surveys. As discussed in Section 1 of this chapter, the sampling approach changed from sampling establishments in 2008 to sampling companies in 2010, 2013, and 2015. It also changed from including EEAs and their clients in 2008 to excluding them in 2010, 2013, and 2015.

To address the first difference in sampling approaches, the implications of the change from sampling establishments to sampling companies were examined during the 2010 analysis. The 2008 survey results were recalculated after deleting all responses from establishments that were not listed as company headquarters. These recalculations generally changed the 2008 survey estimates by only a small amount—typically only one or two percentage points. There was no consistent pattern in terms of the direction of the difference. For example, sometimes the revised statistics showed more satisfaction than the previous estimates and sometimes they showed less.<sup>38</sup> Based on the small size of these changes, which were not statistically significant, the revised sampling methodology does not greatly change the statistical findings, permitting meaningful comparisons between the 2008, 2010, 2013, and 2015 surveys.

<sup>38</sup> See Appendix D for details on these differences.

To address the second difference in sampling approaches, the 2008 statistics presented in this report are based on 2008 results excluding EEAs and their clients. Thus, there are some minor differences between the 2008 data reported in the December 2009 report<sup>39</sup> and the data reported here.

In addition, all survey respondents were given the opportunity to provide additional comments or suggestions for improvement for E-Verify. These responses were coded using QSR International's NVivo 10 qualitative data analysis software.

## 9. DATA LIMITATIONS

Like all surveys, the employer survey is subject to both sampling errors and nonsampling errors. Nonresponse bias may exist because employers that know they are not following procedures may be more likely than other employers to be nonrespondents. It is also subject to response bias since the survey relies on employer representatives to provide information about their employers, even though we request that they consult with them on questions they could not answer themselves. Finally, some employers may over report compliance to put themselves in a good light by providing information based on what they think they should be doing, and/or they may also be unaware of practices by others in their organization.

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<sup>39</sup> See Westat, *Findings of the E-Verify Program Evaluation*, December 2009 ([https://www.uscis.gov/sites/default/files/USCIS/E-Verify/E-Verify/Final%20E-Verify%20Report%2012-16-09\\_2.pdf](https://www.uscis.gov/sites/default/files/USCIS/E-Verify/E-Verify/Final%20E-Verify%20Report%2012-16-09_2.pdf)).

## CHAPTER III. PROFILE OF E-VERIFY EMPLOYERS

This chapter focuses on the characteristics of E-Verify employers from FY 2008 through FY 2015. The chapter presents an overall profile of E-Verify users by describing the number and type of employers that enrolled in and/or used E-Verify and how their usage has changed over time. The second section describes the 2015 E-Verify survey population and changes in the employer profile over time, when applicable. Thus, the two data sources for this chapter are the E-Verify Transaction Database of all E-Verify employers and survey data of E-Verify employers, excluding E-Verify Employer Agents (EEAs) and their clients.<sup>40</sup>

After enrolling in E-Verify, signing a Memorandum of Understanding (MOU) with the Department of Homeland Security (DHS), and completing the required online training, participating employers are able to access E-Verify to create and manage cases for their newly-hired employees and existing employees, if applicable. The Transaction Database contains data on each case the employer submits to E-Verify. The information presented in the first section of this chapter is based on the Transaction Database from FY 2008 through FY 2015, while the FY 2015 national survey of E-Verify employers is the primary source of the data presented in the second section of the chapter.

### 1. FINDINGS FROM THE E-VERIFY TRANSACTION DATABASE

Data from the Transaction Database include the following characteristics of the population of E-Verify employers:

- Number, percent, and type of employers signing MOUs and submitting cases to E-Verify;
- Employer usage and the number of case submissions; and
- The distribution of employers transmitting cases, by company size, industry type, and whether they are regular E-Verify users or submit cases through an EEA.

#### 1.1 Memorandum of Understanding (MOU)

The MOU is an agreement between the employer, DHS, and the Social Security Administration (SSA). The document explains the employer's responsibilities and the usage requirements employers agree to follow. This agreement must be signed before an employer can complete its E-Verify enrollment.

Figure III-1 presents the number of employers signing MOUs between 2008 and 2015 (Table A-1). During the past seven years, on average, 20,392 employers signed an MOU every quarter. The highest influx of new MOU signers took place between late 2011 and early 2012 when 40,441 new users signed agreements. This spike in MOUs is likely attributed to a growing number of state legislation requiring or encouraging the use of E-Verify during this period.<sup>41</sup>

Between January 2013 and March 2015, the number of employers signing MOUs fluctuated between 22,285 and 20,005.

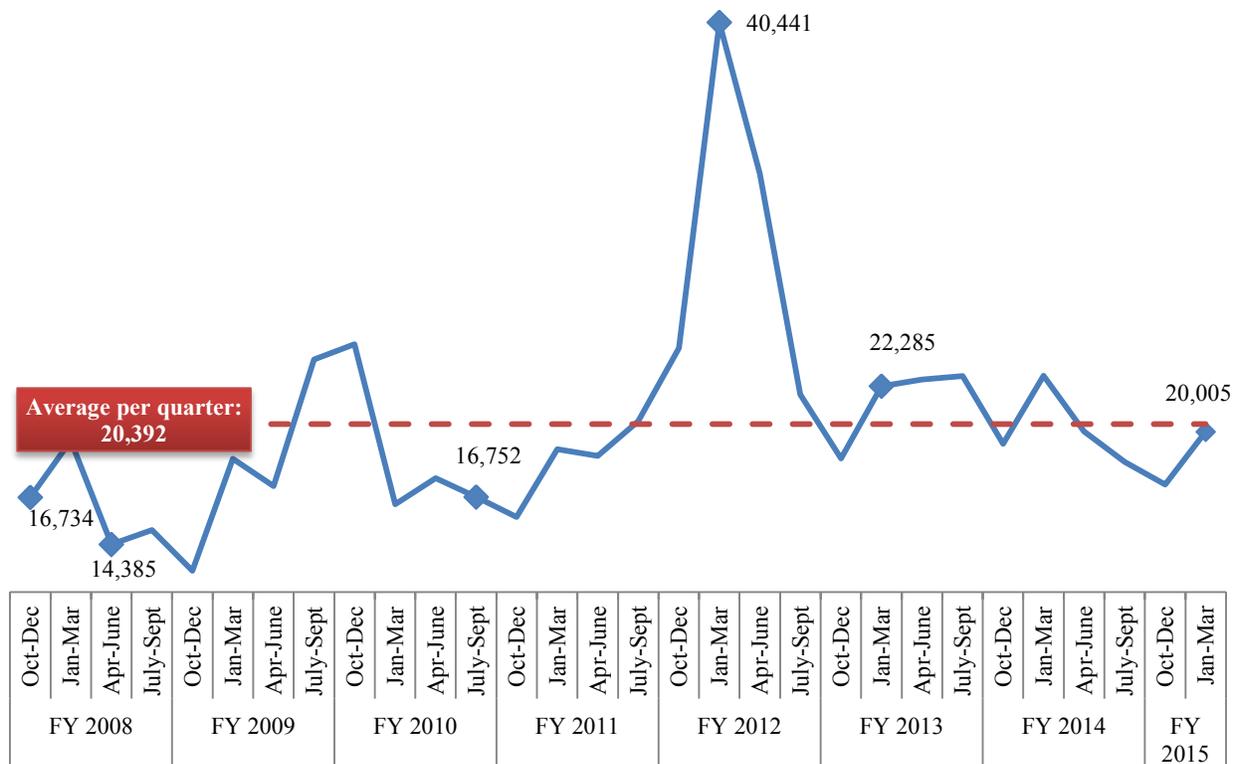
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<sup>40</sup> The surveys of E-Verify employers excluded EEAs and their clients as well as employers that accessed E-Verify via Web services software (i.e., software that interfaces with the official USCIS E-Verify portal).

<sup>41</sup> According to state E-Verify action, during FY 2011, ten states either expanded or newly mandated the use of E-Verify for some or all types of employers. In addition, employers in some states were required to enroll in E-Verify by April 2013. See <http://www.ncsl.org/research/immigration/state-E-Verify-action.aspx> and [http://www.verifiedperson.com/products\\_faqs\\_20.html](http://www.verifiedperson.com/products_faqs_20.html).



Figure III-1. Number of employers that signed a Memorandum of Understanding (MOU): October 2007–March 2015



SOURCE: E-Verify Transaction Database.

Three types of employers can sign an MOU:

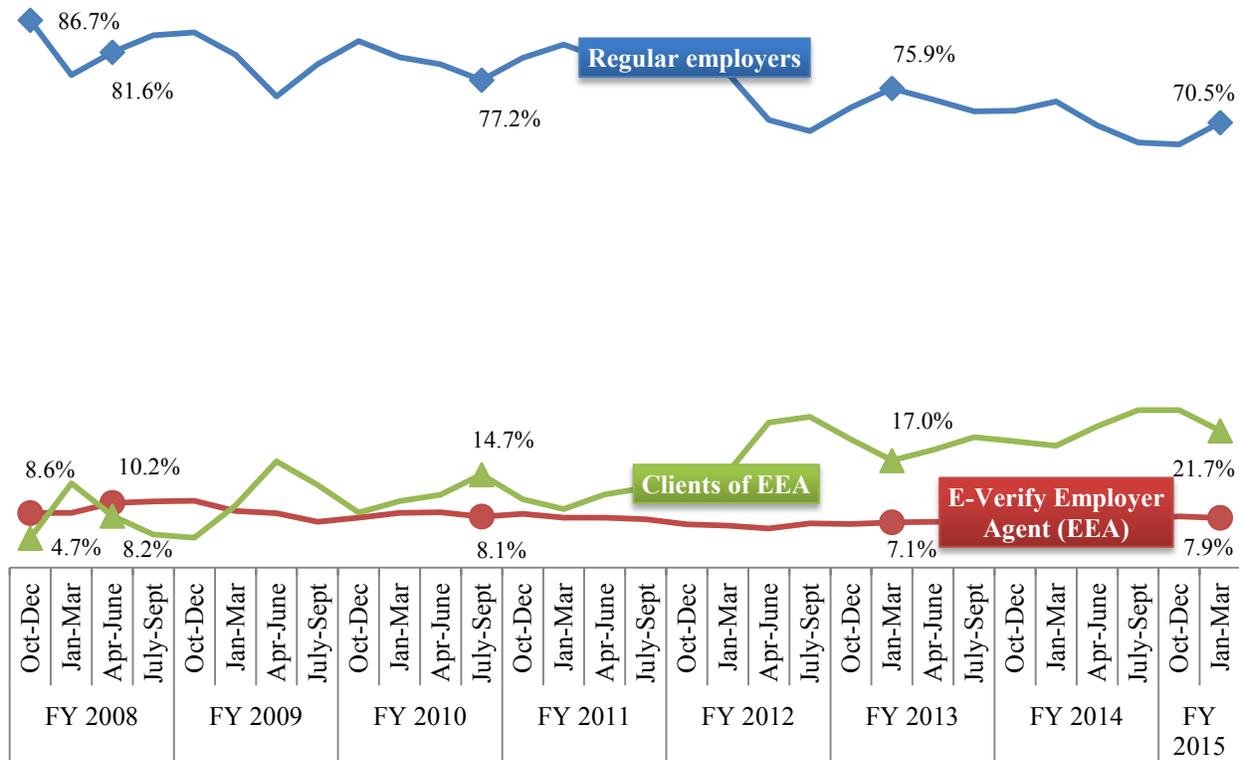
- Regular employers that are planning to verify their own workers;
- EEAs that verify their clients’ workers, usually for a fee; and
- Clients of EEAs that do not verify their own workers but hire other companies (i.e., EEAs) to create and process E-Verify cases for these workers.

The majority of employers that signed MOUs during October 2007 through March 2015 planned to verify their own workers. While the proportion of these employers decreased since FY 2008, they are still the most likely to sign an initial MOU. Regular employers made up 71 percent of all users signing the MOUs in January through March 2015 (Figure III-2 and Table A-1).

The percent of EEAs signing MOUs in March 2015 was about the same as the beginning of FY 2008. However, the use of EEAs to handle employment verification tasks is growing, with their clients making up a larger proportion of employers signing MOUs than EEAs themselves. Since FY 2008, the percent of clients of EEAs signing MOUs has increased from 5 percent to 22 percent of the overall E-Verify employer population.



**Figure III-2. Percent of employers that signed a Memorandum of Understanding (MOU), by employer type: October 2007–March 2015**



SOURCE: E-Verify Transaction Database.

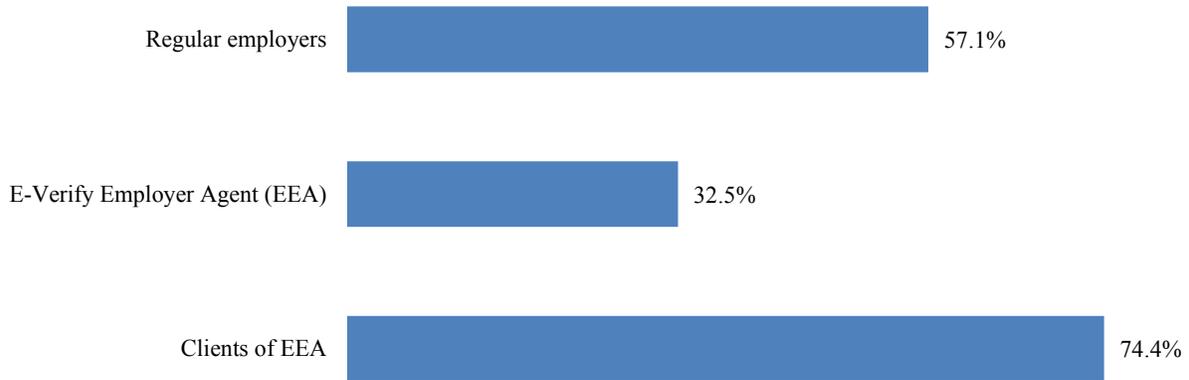
Of course, signing an MOU does not guarantee that an employer will use E-Verify. Figure III-3 shows the proportion of regular employers, EEAs, and clients of EEAs that used E-Verify after they signed MOUs between October 2007 and March 2015.<sup>42</sup> A little over half of the 469,467 regular employers that signed the MOU between October 2007 and March 2015 actually used E-Verify after signing the agreement. EEAs were less likely to use E-Verify after they signed their MOUs; 33 percent of the 47,583 EEAs that signed an MOU used E-Verify (Table A-2).<sup>43</sup> Clients of EEAs were the most likely to use E-Verify after signing the agreement; about three-fourths of these employers that signed MOUs between October 2007 and March 2015 actually used it. There could be many reasons for failing to use E-Verify after signing an MOU such as not having new hires within a given timeframe, going out of business before verifying a worker, and changing the company’s decision to use E-Verify. In addition, some employers may have erroneously enrolled as EEAs and thus contribute to the lack of E-Verify use among this group.

<sup>42</sup> The numbers of employers that signed MOUs between October 2007 and March 2015 are presented in Figure III-1.

<sup>43</sup> EEAs include a small number of a specific type of Web services employer that only develops Web services software and never intends to transmit cases for their own workers or for their clients. The Transaction Database used in this study period cannot identify this particular group, and therefore, we could not remove them from the denominator. As a result, the percentage of EEAs that used E-Verify may be slightly underestimated.



**Figure III-3. Among employers that signed a Memorandum of Understanding (MOU) between October 2007 and March 2015, percent that used E-Verify, by employer type**



SOURCE: E-Verify Transaction Database.

Most employers that signed MOUs between October 2007 and March 2015 actually used E-Verify within the first six months of signing the agreement (not shown in figures or tables). Among the 57 percent of regular employers that used E-Verify after signing MOUs, 84 percent did so within the first six months, while 16 percent took more than six months to use it. Similarly, among the 33 percent of EEAs that used E-Verify, 85 percent did so within six months of signing MOUs. In addition, among the 74 percent of clients of EEAs that signed MOUs and used E-Verify, 88 percent did so within six months.<sup>44</sup>

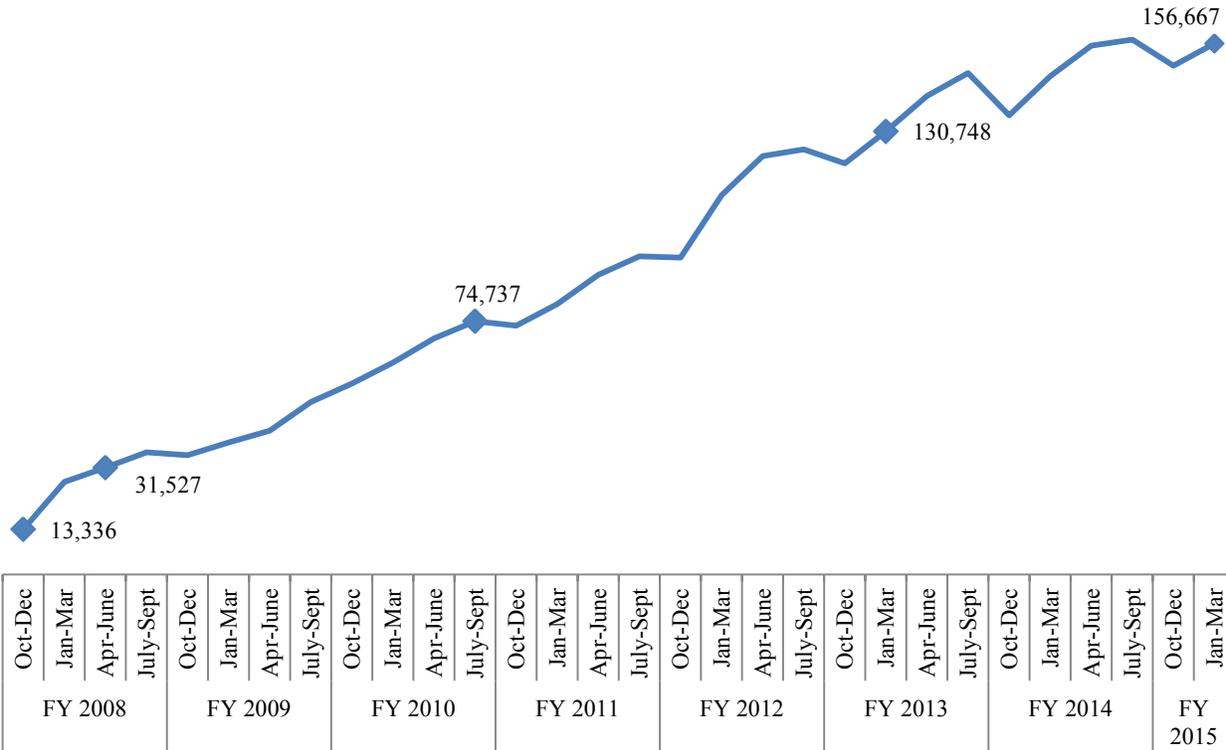
## 1.2 Number of Employers Transmitting Cases to E-Verify

Consistent with past trends, the number of employers transmitting cases to E-Verify has continued to show steady growth. Figure III-4 shows that 13,336 employers were transmitting cases to E-Verify during October to December 2007 and this number increased sharply by January to March 2015, when 156,667 employers were using the system (Table A-3).

<sup>44</sup> Additionally, 6 percent of employers that used E-Verify started to do so after one year, 5 percent started to use it after two years, and 4 percent started to use it three or more years after they signed an MOU.



**Figure III-4. Number of employers transmitting cases to E-Verify: October 2007–March 2015**



SOURCE: E-Verify Transaction Database.

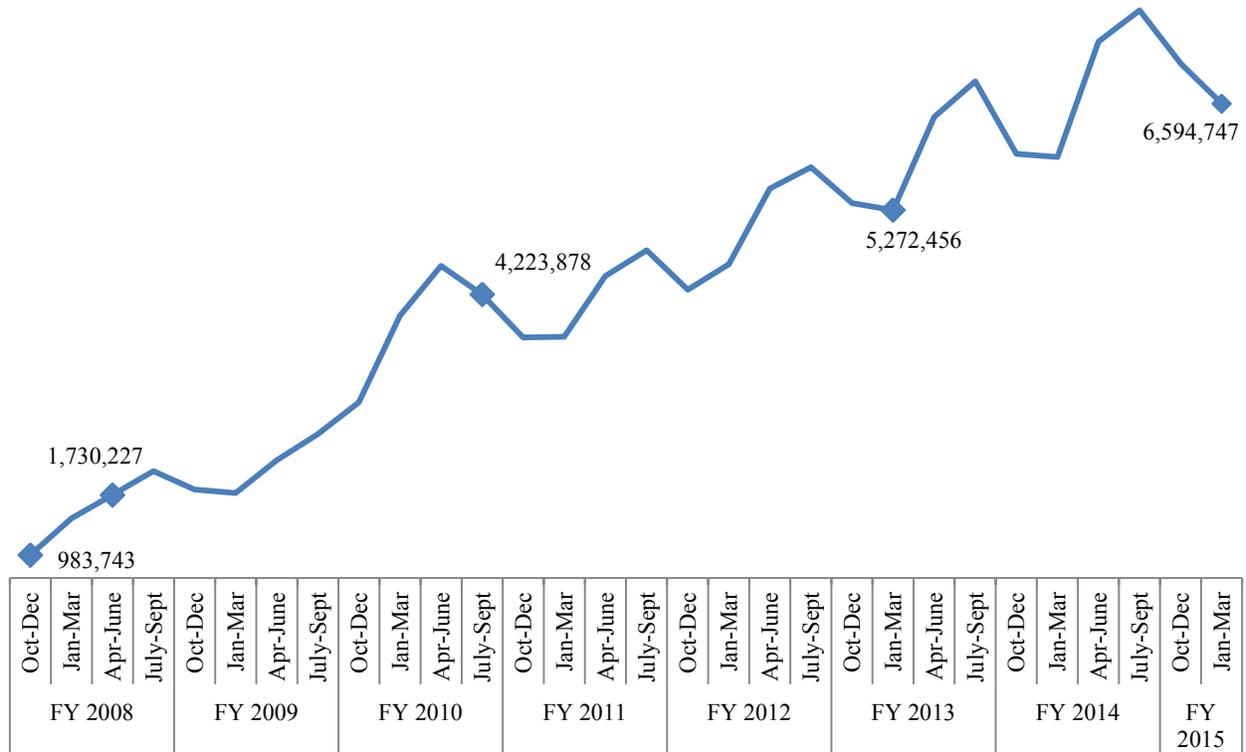
### 1.3 Number of Cases Transmitted

Figure III-5 shows the number of cases that were transmitted to E-Verify by all the employers included in Figure III-4 (Table A-3).

The recent upward trend in cases transmitted to E-Verify was consistent with the general upward trend of employer usage shown in Figure III-4. In January through March 2015, 6,594,747 cases were transmitted compared to 983,743 in October through December 2007. As in previous years, the number of case submissions shows some fluctuation from quarter to quarter. While this variation in the number of cases transmitted could be affected by a range of factors, the data suggest that seasonal hiring patterns might be an important reason for lower numbers of transmitted cases during winter months and higher numbers during summer months since FY2011.



Figure III-5. Number of Cases Transmitted to E-Verify: October 2007–March 2015



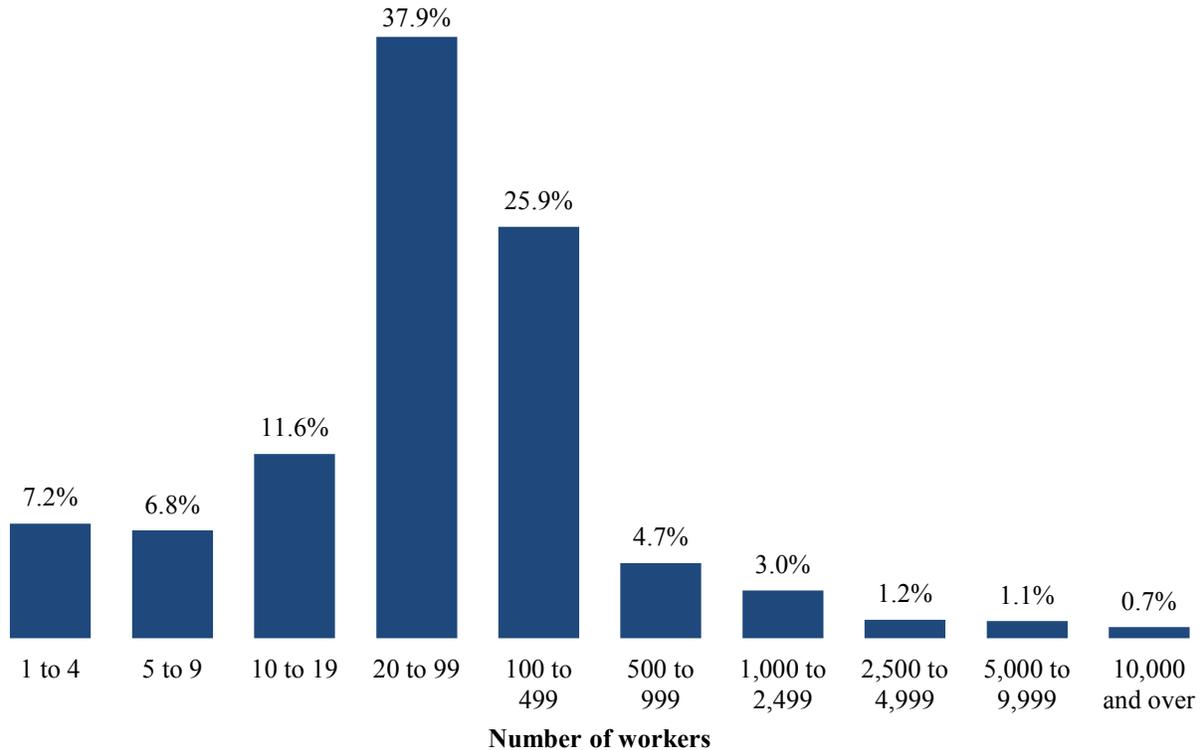
SOURCE: E-Verify Transaction Database.

### 1.4 Company Size

During January through March 2015, more than three-quarters of employers using E-Verify had between 10 and 499 workers (Figure III-6 and Table A-4). In addition, 38 percent of the employers had 20 to 99 workers, 26 percent of employers had 100 to 499 workers, while about one-quarter of employers reported having less than 20 workers.



**Figure III-6. Percent of E-Verify employers transmitting cases, by company size: January–March 2015**



SOURCE: E-Verify Transaction Database.

### 1.5 Industry of Employers

When employers enroll in E-Verify, they are required to provide basic descriptive information about their companies, including type of industry by North American Industry Classification System (NAICS) Code. The study team used this information to classify companies into three industry groups: industries that have a traditionally high percentage of undocumented workers,<sup>45</sup> employment services (i.e., staffing agencies), and other industries.

The number of E-Verify companies classified as employment services has dropped sharply from 13 percent in October through December 2008 to 3 percent in July through September 2010, but remained fairly stable since then (Figure III-7 and Table A-5).<sup>46</sup> In addition, the percentage for industries with high percentages of undocumented workers decreased slightly from 28 percent in October through December 2008 to 24 percent in July through September 2010, but remained fairly stable at 24 percent since then.

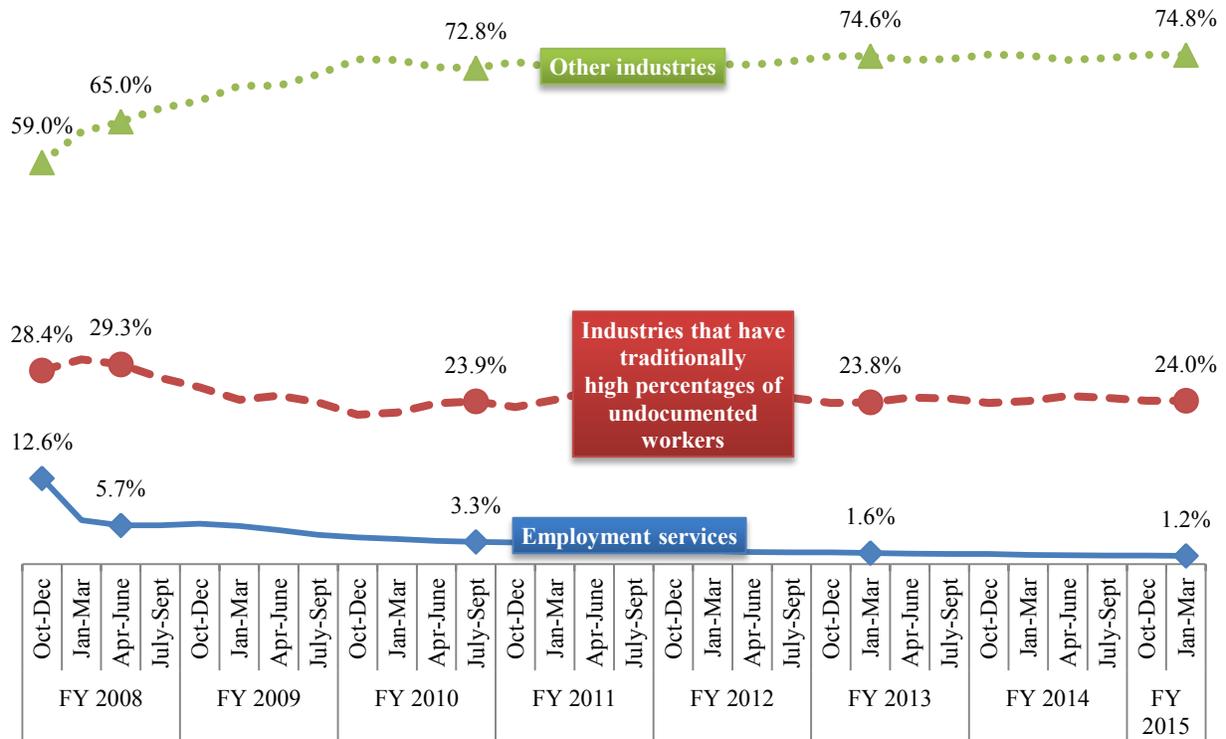
<sup>45</sup> These industries were Agriculture, Forestry, Fishing, and Hunting; Construction; Food Manufacturing; Services to Buildings and Dwellings; Accommodations; and Food Services and Drinking Places. The definition of this category is based on the following report: Jeffrey S. Passel and D’Vera Cohn, Pew Hispanic Center, *A Portrait of Unauthorized Immigrants in the United States*, April 14, 2009.

<sup>46</sup> During the enrollment, employers either enter (if they know the first three digits of their NAICS code) or select from the system-generated NAICS code (if they do not know). According to the Transaction Database, most employers use the three-digit code, while some use the four- or five-digit NAICS code. To be able to identify employment agencies, the analysis has to rely on at least the four-digit code (e.g., 5613 for Employment Services) instead of the three-digit code (e.g., 561 for Administrative and Support Services). In addition, sometimes employers entered or selected the NAICS codes of the industry in which they provided the placements or temporary workers (e.g., healthcare, accounting services). Although Westat examined (through a Web search) employers that used three-digit codes or examined names of employers to re-classify many as employment service, it is impossible to capture all employment services accurately. Therefore, the number of employment services may be underestimated.



The “other industries” category has remained the most prevalent industry represented by E-Verify employers, increasing from 59 percent in October through December 2007 to 73 percent of employers in July through September 2010 but remaining fairly stable at 75 percent since then. The rise in state and federal mandates for using E-Verify are likely responsible for the increased representation among other industries.

Figure III-7. Percent of E-Verify employers, by industry type: October 2007–March 2015



SOURCE: E-Verify Transaction Database.

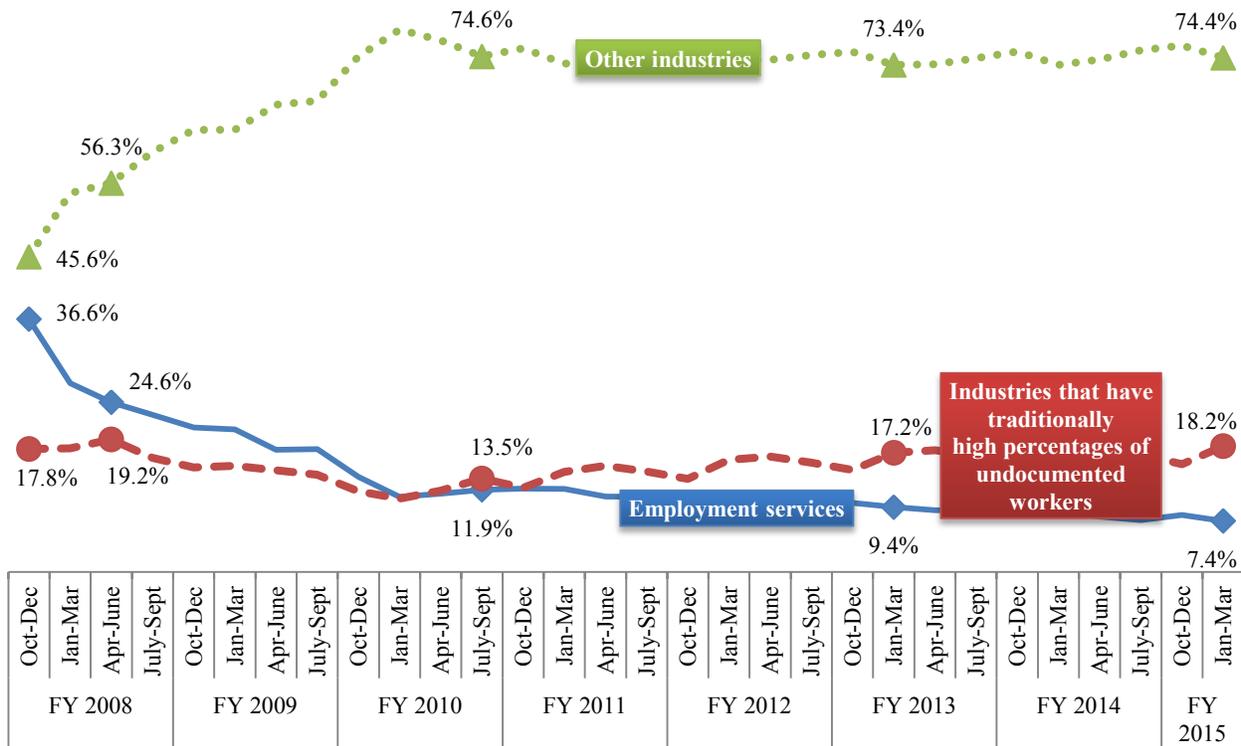


### 1.6 Case Submission by Type of Employer

While Figure III-7 illustrates the percent of employers representing a variety of industry types, Figure III-8 shows the percent of cases submitted to E-Verify, by industry type.

The majority of cases transmitted to E-Verify during the seven-year period examined were also from companies falling into the “other industries” category. The percent has risen sharply from 46 percent of all transmitted cases in October through December 2007 to 75 percent in July through September 2010, but remained fairly stable at 74 percent since then. In contrast, the percent of cases transmitted by employment agencies dropped sharply from 37 percent in October through December 2007 to 12 percent in July through September 2010, but it declined at a much slower rate to 7 percent in January through March 2015. Industries that have had traditionally high levels of undocumented workers accounted for approximately 18 percent of all cases transmitted in both October through December 2007 and January through March 2015, though there were slight fluctuations during this period (Table A-6).

**Figure III-8. Percent of E-Verify cases transmitted, by industry type: October 2007–March 2015**



SOURCE: E-Verify Transaction Database.

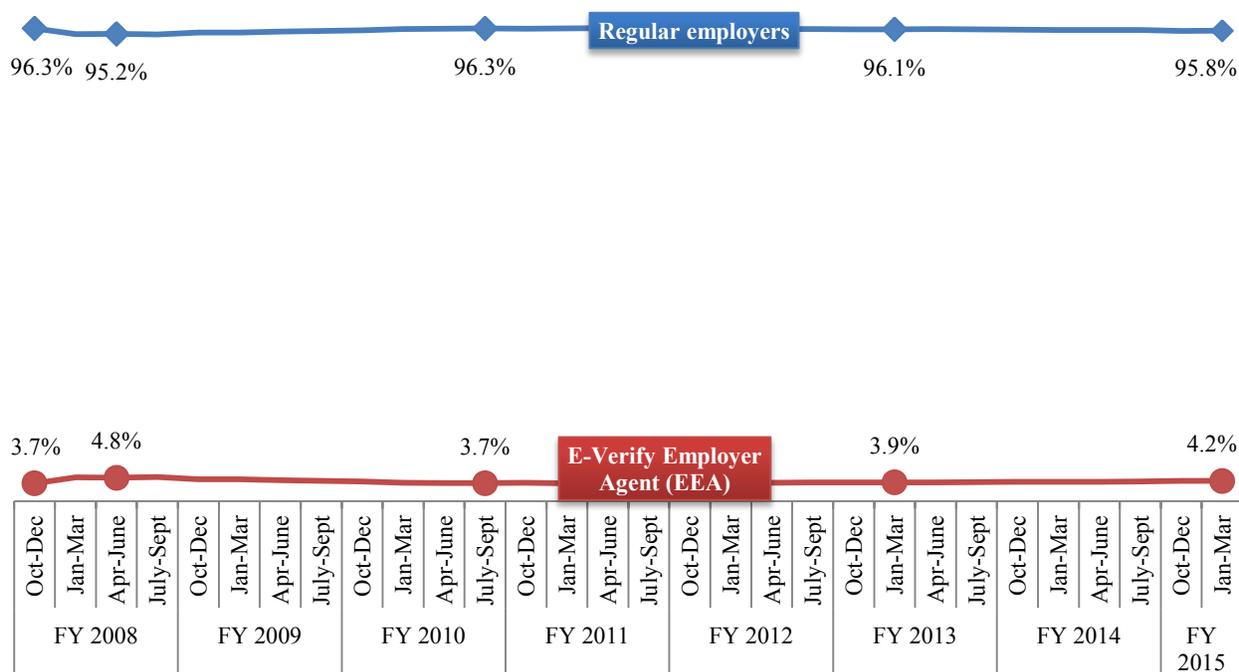


### 1.7 Regular Employers and Employers Submitting Cases Through EEAs

As previously mentioned, three types of employers can sign an MOU and use E-Verify: regular E-Verify employers, EEAs, and clients of EEAs.<sup>47</sup> The study team divided employers into two categories based on whether or not employers outsourced E-Verify processing.<sup>48</sup> Although EEAs were excluded from the 2015, 2013, and 2010 national user surveys, this section presents Transaction Database data about them.

Regular employers held the most common type of user accounts, accounting for 96 percent of employers accessing the system during January through March 2015 (Figure III-9 and Table A-7). During the same time period, EEA users made up only 4 percent of those using E-Verify. These percentages remained fairly stable since FY 2008.

Figure III-9. Percent of employers transmitting cases, by type of employer: October 2007– March 2015



SOURCE: E-Verify Transaction Database.

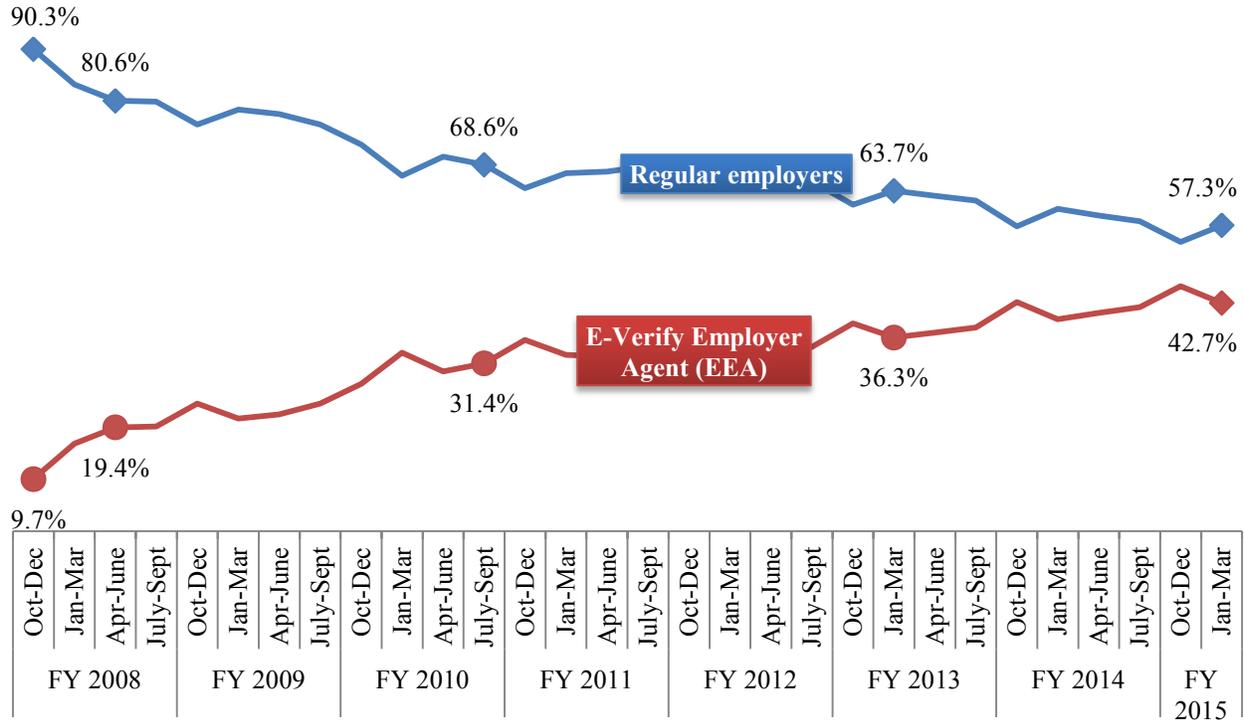
The proportion of cases submitted by EEAs has grown steadily from 10 percent in October through December 2007 to 43 percent in January through March 2015 (Figure III-10 and Table A-8). In contrast, the proportion of cases submitted by regular employers showed a downward trend since FY 2008. These findings indicate an increase in employer use of EEAs for the processing E-Verify cases. There are many possible reasons for increasing employer use of EEAs, including the number of new hires to verify and ease of having a trusted/specialized agency to take responsibility for processing E-Verify cases.

<sup>47</sup> Since a client of an EEA is an individual or employer that hires an EEA to create and manage E-Verify cases on its behalf, the client does not usually access E-Verify directly.

<sup>48</sup> See full description under Section 1.1 of this chapter. Standard employers are those that use E-Verify for their own workers. EEAs are those that are in the business of using E-Verify for their clients' workers. Employers in either group may transmit cases using either the USCIS Web browser method or the Web services access method, which allows users to use specially developed software that interfaces with the E-Verify system.



**Figure III-10. Percent of cases transmitted by type of employer: October 2007–March 2015**



SOURCE: E-Verify Transaction Database.

## 2. FINDINGS FROM THE E-VERIFY EMPLOYER SURVEY

This section of the chapter provides a snapshot of employers that participated in the 2015 national survey of E-Verify employers and compares data from previous survey years, if applicable. To profile the study population, it analyzes selected survey data, including employers’ current E-Verify usage status and hiring pattern, whether employers were required to use E-Verify, how they learned about it, and reasons for participation.

### 2.1 Type of E-Verify Usage and Hiring Pattern

All survey respondents were asked to describe their company’s E-Verify usage status by choosing one of three options:

- The company currently uses E-Verify and indicated they planned to continue using it in the future (*current users*); or
- The company previously used E-Verify but decided to no longer use it (*prior users*);<sup>49</sup> or
- The company has never used E-Verify (*nonusers*).<sup>50</sup>

<sup>49</sup> Section 5.2 in Chapter VI provides survey data on the reasons prior users and nonusers do not currently use E-Verify.

<sup>50</sup> These companies had signed an MOU but never used E-Verify.



In 2015, almost all survey respondents (98 percent) reported that their companies currently used E-Verify (Table III-1 and Table A-9). Only 2 percent of survey respondents identified their companies as prior E-Verify users and less than 1 percent were identified as nonusers.

**Table III-1. Percent of employers reporting on their usage of E-Verify and percent of E-Verify users reporting on their company’s hiring pattern: 2015**

Employer characteristic	Percent
<b>Type of E-Verify employer</b>	
Current user	97.6
Prior user	2.1
Nonuser	0.3
<b>Hiring pattern of current E-Verify users</b>	
Hires only seasonal workers	0.9
Hires only year-round workers	70.4
Hires both seasonal and year-round workers	28.7

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

When asked about the company’s hiring pattern, the majority of current E-Verify employers (70 percent) indicated that they hired workers on a year-round basis only. While 29 percent hired both seasonal and year-round workers, 1 percent hired only seasonal workers.

## 2.2 Requirement to Use E-Verify

While most employers use E-Verify on a voluntary basis, increasing proportions of employers are required to use it because of federal contracts or state or local mandates.<sup>51</sup> To examine current trends, E-Verify users were asked if their companies were required to use E-Verify either because they had federal contracts requiring participation or because they were doing business in a state or locality that required participation.<sup>52</sup>

In 2015, about half (52 percent) of current E-Verify users reported using E-Verify due to federal or state/local mandates (Figure III-11 and Table A-10). About one-third reported no federal or state requirement and 16 percent did not know whether they were mandated to use it.<sup>53</sup> More respondents reported having a state or local mandate to use E-Verify (43 percent) than having a federal mandate (22 percent).

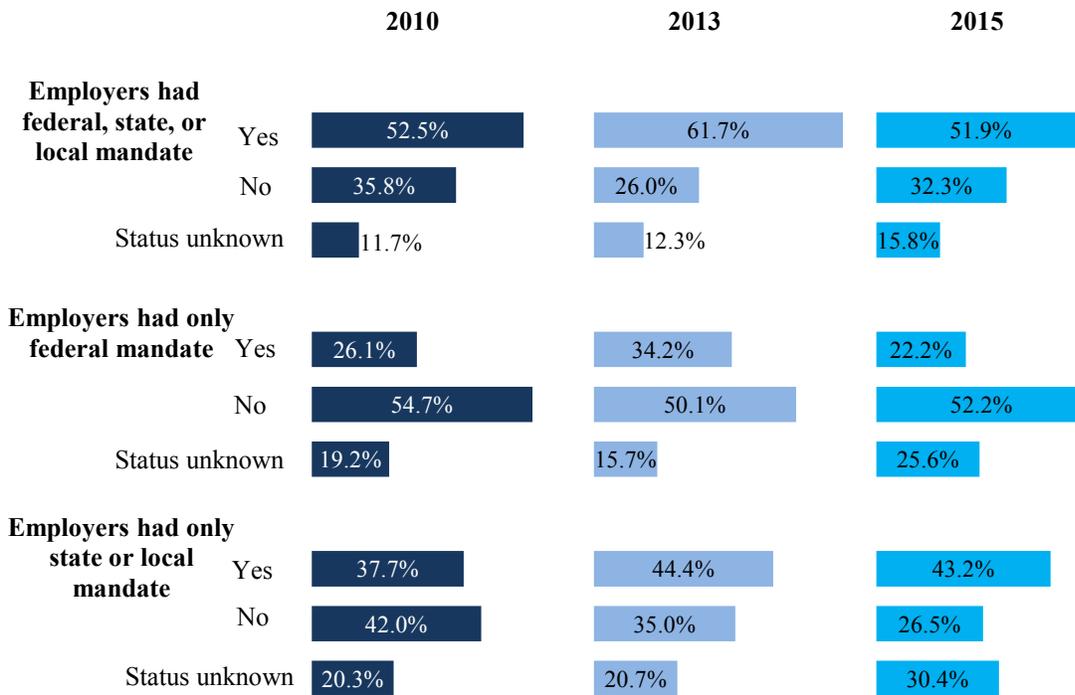
<sup>51</sup> The 2013 report on E-Verify employers showed a significant increase in mandated users from 53 percent in 2010 to 62 percent in 2013. This change was attributed to an increasing number of state legislation for employers to use the Program.

<sup>52</sup> Data from the 2008 survey are not comparable because the question was asked differently from the question used in 2010, 2013, and 2015.

<sup>53</sup> Employers that skipped this question and employers that were not current users of E-Verify are not included in these percentages. The group “status unknown” indicates that a current E-Verify user answered the question but was uncertain about whether the company was mandated to use E-Verify.



**Figure III-11. Percent of E-Verify users reporting whether they were required to use E-Verify, by type of requirement: 2010, 2013, and 2015**



NOTE: The group “status unknown” indicates that a current E-Verify user answered “Don’t know” to the question(s). Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

Data over time suggest some important population shifts in E-Verify mandate status. The percent of mandated E-Verify users—employers with federal, state, or local requirement to use E-Verify—increased from 53 percent in 2010 to 62 percent in 2013, but dropped to 52 percent in 2015. A closer look at the type of mandate status suggests that the overall decline in the percent of mandated employers was due primarily to a corresponding drop in the percent of employers with a federal mandate to use E-Verify—from 34 percent in 2013 to 22 percent in 2015. This change may be partially accounted for by increasing numbers of employers that responded “don’t know” to the survey questions on mandate status (from 12 percent in 2013 to 16 percent in 2015).

The percent of E-Verify users with state or local mandates to use E-Verify did not change between 2010 and 2015.



### 2.3 How Employers First Learned About E-Verify

To describe various ways in which employers first learned about E-Verify, all survey respondents were asked to identify their companies’ original source of information about E-Verify from a list of nine potential sources, including:<sup>54</sup>

- USCIS sources such as the official website; other USCIS/SSA materials, publications, or presentations; USCIS Immigration and Customs Enforcement (ICE) audit or visit; and USCIS outreach events;
- State or local offices; and
- Nongovernmental sources, such as clients, business or professional organizations, other companies, and media coverage.

To account for possible recall problems associated with this question, employers were offered a “don’t know” response to indicate that they did not have this information.

In 2015, the percent of employers reporting that their companies first learned about E-Verify from a USCIS source was about the same as those citing a state or local government office as the initial source of information (16 percent and 14 percent, respectively) (Table III-2 and Table A-11). Considering USCIS sources, 9 percent of E-Verify employers identified the USCIS website as the initial source of information, while another 7 percent cited other USCIS sources. These other sources included USCIS/SSA materials or presentations, an ICE audit or visit, and USCIS outreach events, such as webinars and in-person presentations.

**Table III-2. Percent of employers reporting how they first learned about E-Verify: 2010, 2013, and 2015**

Source	2010	2013	2015
Information from a state or local office	13.1	15.2	13.9
USCIS website	9.8	7.9	8.6
Other USCIS sources	9.4	8.4	7.1
Request from client to participate	11.4	14.4	9.2
Business/professional organizations	12.8	11.1	8.3
Other companies	4.5	6.3	7.6
Media coverage	8.8	5.8	2.2
Other nongovernmental sources	11.0	7.5	7.6
Don’t know	19.2	23.4	35.5

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

<sup>54</sup> The relevant question in 2008 was not comparable to later survey years because the 2008 question instructed respondents to choose all that apply from a list of sources while the question in later survey years instructed respondents to select only one response from the list.



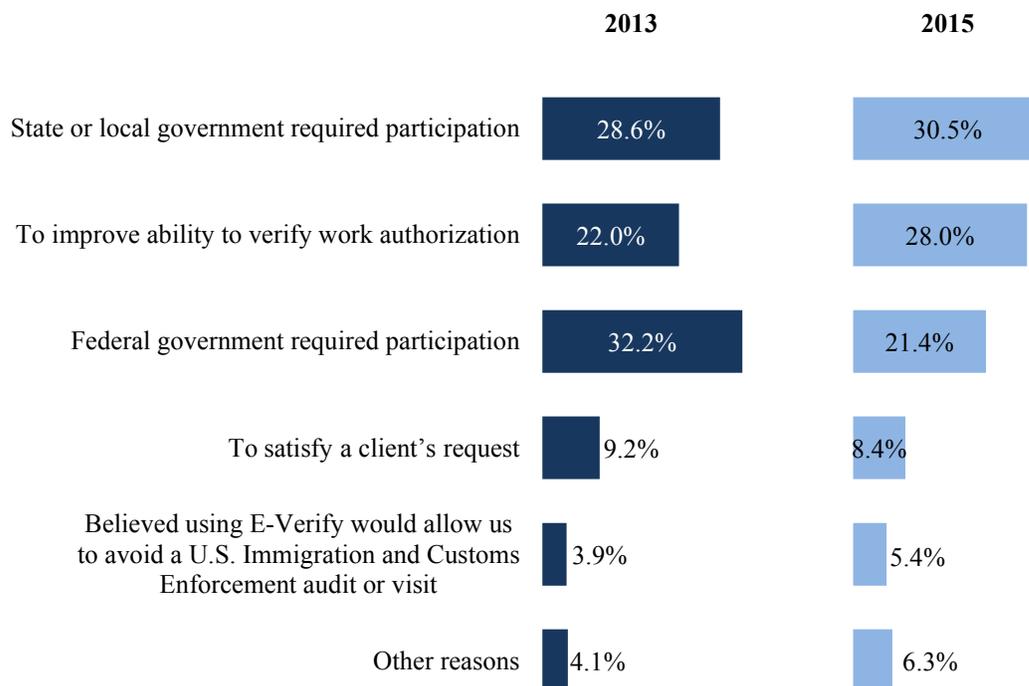
Over one-third (35 percent) indicated that they first learned about E-Verify from a source other than federal or state/local government sources. These included client requests to participate in E-Verify (9 percent), business/professional organizations (8 percent), other companies (8 percent), media coverage (2 percent), and other nongovernmental sources (8 percent). More than one-third of the employers (36 percent) did not have an answer to this question. Possible reasons are that the company may have enrolled in E-Verify some time ago when the survey respondent was not yet an employee or the respondent could not recall how the company first learned about E-Verify.

The data over time show a decline in media coverage as the initial source of information about E-Verify (from 9 percent in 2008 to 2 percent in 2015) and an increase in the percent of respondents that did not have an answer to the question (from 19 percent to 36 percent, respectively).

### 2.4 Main Reason for Participating in E-Verify

To examine key motivating factors that drive E-Verify participation, all survey respondents were asked about their companies' main reason for participating in E-Verify.<sup>55</sup> Based on the list of potential motivating factors provided in Figure III-12 and Table A-12, the most frequently cited main reasons were that the state or local government required participation (31 percent), employers wanted to improve their ability to confirm work authorization (28 percent), and the federal government required participation (21 percent).

**Figure III-12. Percent of E-Verify employers reporting their main reason for using E-Verify: 2013 and 2015**



NOTE: Sum may not add to 100 percent because of rounding.  
 SOURCE: National Survey of E-Verify Employers: 2013 and 2015.

<sup>55</sup> The relevant questions were not comparable in 2008 and 2010.



Smaller percentages of employers cited main reasons such as satisfying a client’s request (8 percent) or avoiding an ICE audit, raid, or fine (5 percent). In addition, 6 percent of employers reported other reasons that they enrolled in E-Verify (Table A-12).

Considering change over time, the percent of employers citing federal requirements to participate as the main reason dropped from 32 percent in 2013 to 21 percent in 2015. There were no other significant changes during this time period.

## CHAPTER IV. EFFECTIVENESS IN MEETING E-VERIFY GOALS

This chapter reports employers' practices and perceptions on indicators of the extent to which E-Verify is meeting the goals set by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). The goals as stated by IIRIRA are to:

- Reduce the employment of individuals unauthorized to work;
- Safeguard workers from verification-related discrimination;
- Prevent undue burden on employers; and
- Protect privacy and workers' civil liberties.

In addition to describing employers' perceptions of E-Verify's overall effectiveness and accuracy, this chapter presents survey findings related to all but the last above-mentioned goal. Progress towards protecting privacy and workers' civil liberties will be addressed through a discussion of employer compliance with E-Verify's privacy policies in Chapter V. While the focus is on describing the current status of E-Verify in 2015, this chapter also examines changes from 2008, 2010, and 2013, when feasible.

One overall indicator from the 2015 employer survey is employers' overall assessment of E-Verify effectiveness and accuracy. Survey data presented in Appendix Table A-13 shows that in 2015, E-Verify employers held highly positive views about overall program effectiveness and accuracy. Almost all users agreed that E-Verify is an effective tool (96 percent) and highly accurate (96 percent).<sup>56</sup>

The remainder of this chapter discusses specific indicators of employer practices and perceptions relating to the extent to which E-Verify is reducing unauthorized employment, safeguarding workers from verification-related discrimination, and preventing undue burden on employers.

### 1. REDUCING UNAUTHORIZED EMPLOYMENT

Employers were asked to respond to two items related to E-Verify's impact on reducing unauthorized employment: discouraging unauthorized workers and identifying unauthorized workers with Tentative Nonconfirmation (TNC) findings.<sup>57</sup> While the survey did not gather information about the numbers of unauthorized job applicants or unauthorized workers with TNCs, employers' perceptions were used as proxy measures of the extent to which E-Verify is contributing to a reduction in unauthorized employment among these workers.

#### 1.1 Discouraging Unauthorized Workers

In 2015, some current E-Verify employers (19 percent) perceived that the number of unauthorized workers who applied for jobs decreased because E-Verify was used, while almost half (48 percent) did

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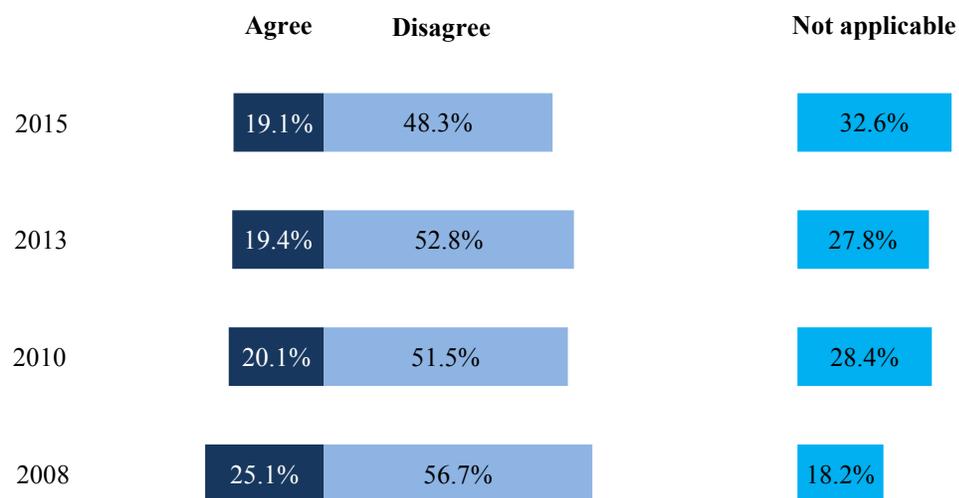
<sup>56</sup> The data for 2015 were not strictly comparable from the three previous survey years, because the items did not include a "Not applicable" response option. During survey development, pretest participants suggested that a "Not applicable" response option was not appropriate for these items.

<sup>57</sup> A Tentative Nonconfirmation (TNC) of work authorization is the finding from E-Verify when a worker's employment authorization cannot be confirmed based on the automated review and, where appropriate, a review by a Management Program Assistant (MPAsst). There are many possible reasons that a worker may receive a TNC, ranging from employer-keying errors to a worker's lack of employment authorization.

not share this perception (Figure IV-1 and Table A-14). The remaining one-third of the employers reported that the statement was not applicable to their companies.

There were no changes over time in the percent of E-Verify employers that agreed with the statement that E-Verify is reducing unauthorized employment, suggesting no improvement in employers' perceptions of E-Verify's impact on unauthorized employment. This finding may be attributed to workers' continued ability to avoid detection through the use of stolen, borrowed, or counterfeit documents during this time period, as discussed in the 2016 accuracy report.<sup>58</sup>

**Figure IV-1. Percent of E-Verify users reporting whether they agreed that E-Verify is reducing the number of unauthorized job applicants: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

A few respondents reported that E-Verify usage resulted in existing employees being fired (5 percent) or choosing to leave the company (5 percent) in 2015 (Table A-14). While workers may be fired or choose to leave for a variety of reasons, many of these workers were presumably unauthorized.

## 1.2 Identifying Unauthorized Workers With TNCs

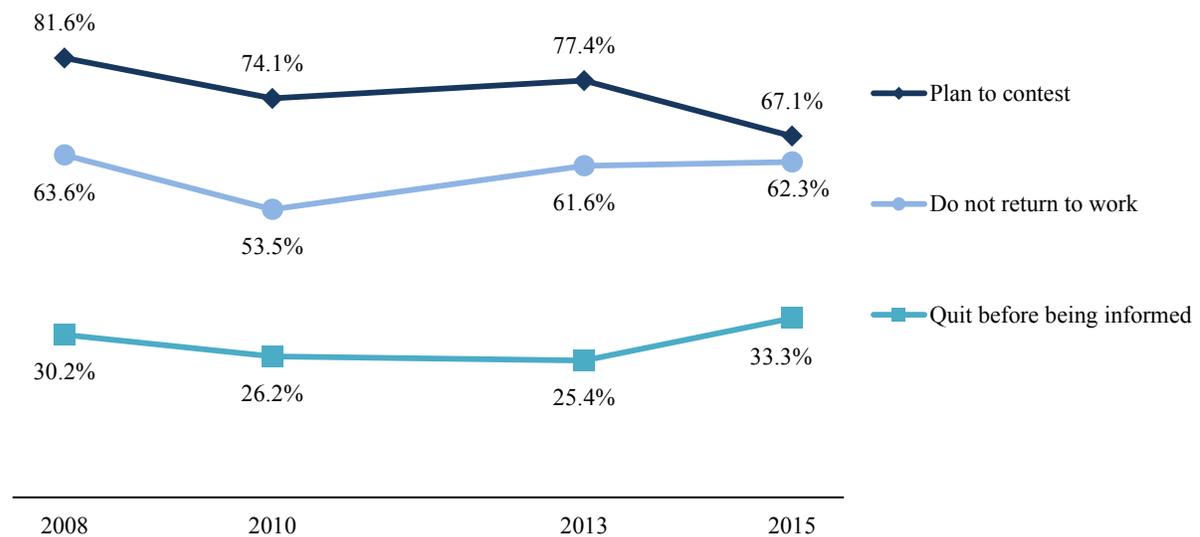
A TNC finding does not necessarily mean that the worker is unauthorized to work because it only represents a mismatch with database information. In addition, workers with TNCs may choose to stop working for many reasons. Thus, it is plausible that workers who either do not return to work or quit rather than contest TNC findings might be employment-authorized workers who do not want to deal with the burden of contesting TNC findings or may leave for reasons unrelated to the TNC finding. However, it is also reasonable to assume that some of these workers are correctly identified as not authorized to work in the United States.

<sup>58</sup> *Evaluation of the Accuracy of E-Verify Findings*, forthcoming in summer 2016. Rockville, MD: Westat.

Employers that reported receiving TNCs for their workers were asked to respond to different statements about how often workers did not return to work, quit before being informed, and planned to contest the TNC finding. In 2015, almost two-thirds (62 percent) of the employers that had TNC findings<sup>59</sup> reported that the workers at least sometimes did not return to work when they received a TNC (Figure IV-2 and Table A-15). The remaining employers reported that workers never responded this way (28 percent) or that the question was not applicable to their company's experience (10 percent) (Table A-15).

When asked about how often workers quit before being informed about the TNC, about one-third (33 percent) of the employers reported that this response occurred at least sometimes. The remaining employers indicated that the workers never responded this way (55 percent) or that the question was not applicable to their company's experience (12 percent) (Table A-15). However, when asked about workers' intention to contest TNC findings, about two-thirds of E-Verify employers with workers receiving TNCs reported that the workers at least sometimes told them that they planned to contest the TNCs (Figure IV-2 and Table A-15).<sup>60</sup> Some employers reported that the workers never expressed this intention (26 percent) or that the question was not applicable to their company's experience (7 percent) (Table A-15).

**Figure IV-2. Among E-Verify users with workers receiving Tentative Nonconfirmations (TNCs), percent reporting how workers sometimes, often or always responded in various ways to the TNC: 2008, 2010, 2013, and 2015**



NOTE: Respondents were asked separate questions about how workers responded to TNC findings. Estimates for all response options to each question are presented in Appendix Table A-15.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

Changes in employer's reports of workers' responses to TNC findings suggest some improvement over time in E-Verify's effectiveness in identifying unauthorized workers. The percent of employers reporting

<sup>59</sup> Note that only 19 percent of respondents reported having had workers who received TNCs.

<sup>60</sup> Note that not infrequently workers who say they intend to contest TNCs do not do so. It is likely that in some of these cases the worker is not authorized to work but wishes to work during the time allowed for contesting the TNC.

that workers at least sometimes told them that they planned to contest the TNCs was lower in 2015 than each of the previous survey years since 2008. In addition, the percent of employers indicating that workers quit at least sometimes before they were informed about the E-Verify finding increased slightly from 2010 and 2013, although there was no significant change from 2008.

## 2. REDUCING VERIFICATION-RELATED DISCRIMINATION

To address the extent to which E-Verify is meeting its goal of reducing verification-related discrimination, the surveys gathered information on three indicators of employers' hiring and employment practices and attitudes that are prohibited by the E-Verify Memorandum of Understanding (MOU).<sup>61</sup>

- Firing workers with TNCs without telling them about the finding.
- Taking adverse work-related action against workers who plan to contest TNCs.
- Having discriminatory hiring attitudes towards workers who appear foreign born.

### 2.1 Firing Workers With TNCs Without Informing Them of the TNC

While most E-Verify users indicated that they **never** fired or decided not to hire workers with TNCs without informing them of the TNC, some reported this discriminatory hiring practice (Table IV-1 and Table A-16). Among E-Verify employers that had workers receiving TNCs, most reported that they never fired workers receiving TNCs without telling them about the finding (90 percent). Only 2 percent of users reported that they engaged in this discriminatory practice and the remaining 9 percent reported that the situation did not apply to their company.

**Table IV-1. Among E-Verify users with workers receiving Tentative Nonconfirmations (TNCs), percent reporting how often they fired workers with TNCs without telling them about the finding: 2008, 2010, 2013, and 2015**

Practice	2008	2010	2013	2015
Sometimes/often/always	0.3	0.1	0.2	1.8
Never	95.7	90.2	90.3	89.5
Not applicable	4.1	9.7	9.5	8.7

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

Although small, the percent of employers that reported firing workers receiving TNCs (ranging from less than 1 percent to 2 percent) represent a violation of E-Verify requirements that workers be permitted to contest TNCs without penalty. In addition, because work-authorized foreign-born individuals are more

<sup>61</sup> Other indicators of prohibitive hiring practices towards job applicants and existing employees are discussed in Chapter V on employer compliance with E-Verify rules. These include using E-Verify for job applicants prior to a job offer being made and accepted (prescreening). The E-Verify MOU is the legal document describing the agreement between the Department of Homeland Security and the entity requesting participation in E-Verify. It is a statement of shared and agreed upon responsibilities for participation in this government program. Before successfully enrolling in E-Verify, employers and employer agents must agree to the terms of the MOU and electronically sign the document. See [https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/MOU\\_for\\_E-Verify\\_Employer.pdf](https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/MOU_for_E-Verify_Employer.pdf).

likely to receive TNCs than are U.S.-born individuals, firing workers due to a TNC without providing them with the opportunity to contest could result in discrimination against foreign-born individuals.<sup>62</sup>

In 2015, the percent of E-Verify users reporting that they **never** decided not to hire workers receiving TNCs without telling them about the finding dropped from 2008. Although small, the percent of employers reporting discriminatory hiring practices against workers receiving TNCs has remained fairly consistent (3 percent or less).

## 2.2 Taking Adverse Work-Related Actions Against Workers Contesting TNCs

E-Verify employers were asked about the extent to which they agree with statements about their company's behavior towards E-Verify for workers who received TNCs and planned to contest the finding. Since these statements refer to discriminatory practices, such as restricting work assignments, reducing pay, and delaying training, it is reasonable to assume that agreement indicates that the employer takes adverse actions against workers who contest TNCs. It should be noted, however, that employers aware of the E-Verify requirements on adverse work-related actions may underreport such behavior.

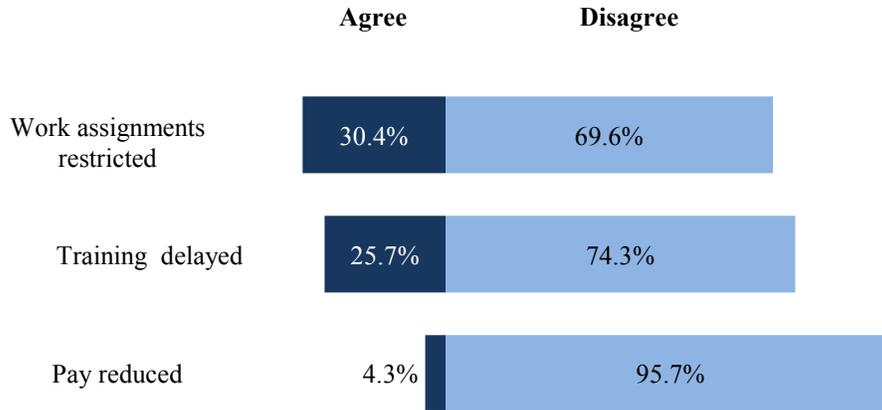
Some E-Verify users reported discriminatory practices of restricting work assignments, reducing pay, and delaying training until work authorization could be confirmed. In 2015, among E-Verify users that had workers receiving TNCs, the most frequently reported action against workers who planned to contest the finding was restricting work assignments until work authorization was confirmed (30 percent) (Figure IV-3 and Table A-17). This was closely followed by over a quarter of E-Verify employers (26 percent) that reported that training was delayed until work authorization could be confirmed. Few E-Verify users (4 percent) reported that pay was reduced until work authorization was confirmed. While the survey did not ask followup questions on why employers violated these E-Verify rules it is possible that some may not be aware that these adverse actions are prohibited, had forgotten about these prohibitions, or were choosing to ignore them.<sup>63</sup>

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<sup>62</sup> Data from the 2016 E-Verify accuracy report (*Evaluation of the Accuracy of E-Verify Findings*, forthcoming, summer 2016) show that foreign-born workers who receive an E-Verify finding of employment authorized are more likely to receive TNCs prior to being found work authorized (i.e., erroneous TNCs) than are U.S.-born workers, although this percentage has decreased since 2009. In FY 2014, 1.1 percent of noncitizens who were ever found to be work authorized had received a TNC prior to being found work authorized compared to 0.1 percent of workers attesting to being U.S. citizens or nationals. In FY 2009, the erroneous TNC rate was 1.6 percent for noncitizens compared to 0.2 percent for workers attesting to being U.S. citizens or nationals. In FY 2014, the erroneous TNC rate was 0.5 percent for foreign-born U.S. citizens and 0.1 percent for U.S.-born citizens. In FY 2009, the erroneous TNC rate for foreign-born U.S. citizens was 1.3 percent and 0.1 percent for U.S.-born citizens.

<sup>63</sup> The data for 2015 were not strictly comparable from the three previous survey years because the items did not include a "Not applicable" response option. During 2015 survey development, pretest participants suggested that a "Not applicable" response option was not appropriate for these items.

**Figure IV-3. Among E-Verify users with workers receiving Tentative Nonconfirmations (TNCs), percent reporting whether they agreed that statements about adverse actions against workers with TNCs reflect the experiences of their company: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

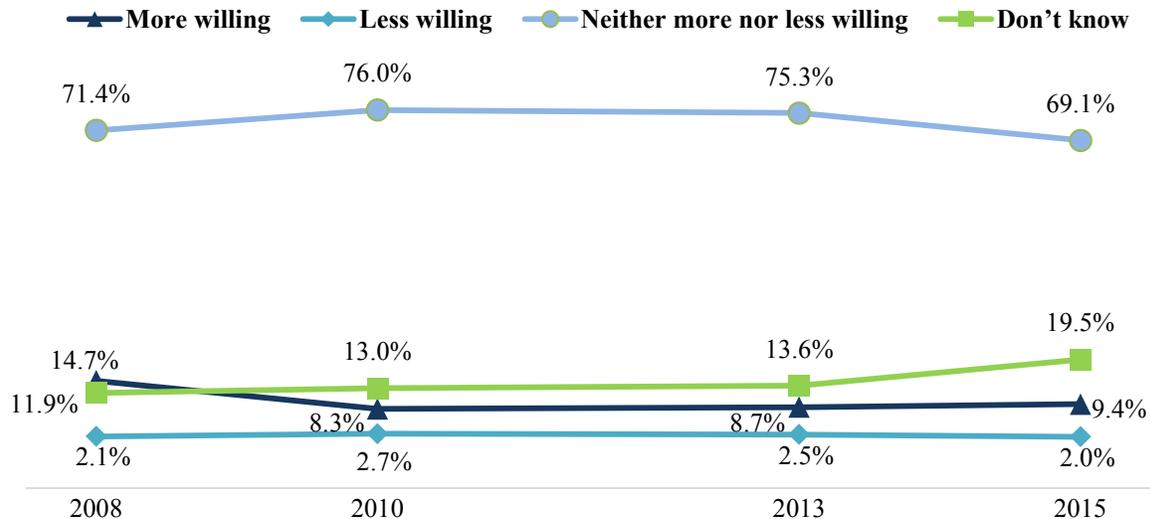
SOURCE: National Survey of E-Verify Employers: 2015.

### 2.3 Discriminatory Hiring Attitudes Against Job Applicants Who Appear to Be Foreign Born

To explore the extent to which E-Verify has helped to reduce discrimination against job applicants who appear to be foreign born, current users were asked whether their companies were now more or less willing to consider hiring job applicants who appeared to be foreign born than they were prior to their use of E-Verify.

For a large majority of employers, using E-Verify did not appear to influence decisions to hire job applicants who appeared to be foreign born, although a few employers reported increased or reduced willingness to do so (Figure IV-4 and Table A-18). In 2015, the majority of E-Verify users (69 percent) reported that their companies were neither more nor less willing to hire job applicants who appeared to be foreign born than they were prior to using E-Verify. However, 2 percent were less willing, 9 percent were more willing, and 20 percent did not know the answer to this question.

**Figure IV-4. Percent of E-Verify users reporting on whether their company was now more or less willing to consider hiring job applicants who appeared to be foreign born than it was prior to using E-Verify: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

The percent of employers expressing a greater willingness to hire job applicants who appeared to be foreign born dropped from 15 percent in 2008 to 9 percent in 2015 and 2013. There were no other significant changes during this time period.

To further explore the issue of discriminatory hiring attitudes towards workers who appeared to be foreign born, E-Verify employers were asked to provide reasons for their change in hiring attitudes towards this group of workers in an open-ended question format.<sup>64</sup>

An analysis of the text information provided by the 9 percent of the E-Verify employers in 2015 that reported being *more willing* to hire individuals who appeared to be foreign born suggests that this attitude change stemmed primarily from the benefits of using E-Verify. For example, employers stated that E-Verify:

- Allows employers to be confident that the individuals are legally allowed to work in the United States.
- Allows employers to comply with the law so they “don’t have to worry about being fined or shut down for hiring illegal immigrants.”
- Helps employers not to discriminate against certain groups of individuals “as long as they are authorized to work and qualified for the job.”
- Takes the guesswork out of making sure that the documents workers provide are valid.

Referring to worker characteristics, some employers indicated that foreign-born workers usually stayed longer on jobs, worked for lower rates, and may be more qualified and trained in technical fields.

<sup>64</sup>This information is not reported for 2008 and 2010 because the survey items are not comparable.

Among the 2 percent of E-Verify employers that reported being *less willing* to hire applicants who appeared to be foreign born, the most frequently cited reasons for this attitude stemmed from the burden of processing TNCs. For example, employers offered the following explanations:

- E-Verify is more complicated to use for individuals who are foreign born because of the paperwork needed and the greater chance that the “paperwork may not match what is in Social Security Administration or USCIS database even if they are legal immigrants.”
- It is too burdensome for employers to have to “hire first and then verify the workers because we run the risk of going through the hiring process and training only to find out that the person is not authorized to work.”
- It is too costly for small businesses because the verification process can become “a burden on our already stretched time and energy.”
- Some employers deal with many undocumented workers who do not return or provide the requested documents “so it has to do with what the worker does and not what we do.”

### 3. PREVENTING UNDUE BURDEN ON EMPLOYERS

An important program goal is to minimize the burden of using E-Verify. To assess the extent to which E-Verify is meeting this goal, the survey gathered information about users’ perceptions of the burdens associated with it, including:

- Meeting processing deadlines and requirements;
- Recruiting qualified and employment-authorized workers;
- Maintaining healthy employee-management relationship;
- Being competitive with other companies in the industry that do not use E-Verify;
- Assisting workers with the TNC process; and
- The costs of setting up and maintaining E-Verify.

#### 3.1 Burden of Meeting E-Verify Processing Requirements

Meeting all of the requirements associated with the E-Verify process might be challenging for some companies, especially for companies with limited resources, large numbers of new hires, or high TNC rates. To examine the perceived burden of E-Verify processing requirements, users were asked about fulfilling all of the processing obligations, submitting case information within deadlines, and assisting workers with TNCs.<sup>65</sup>

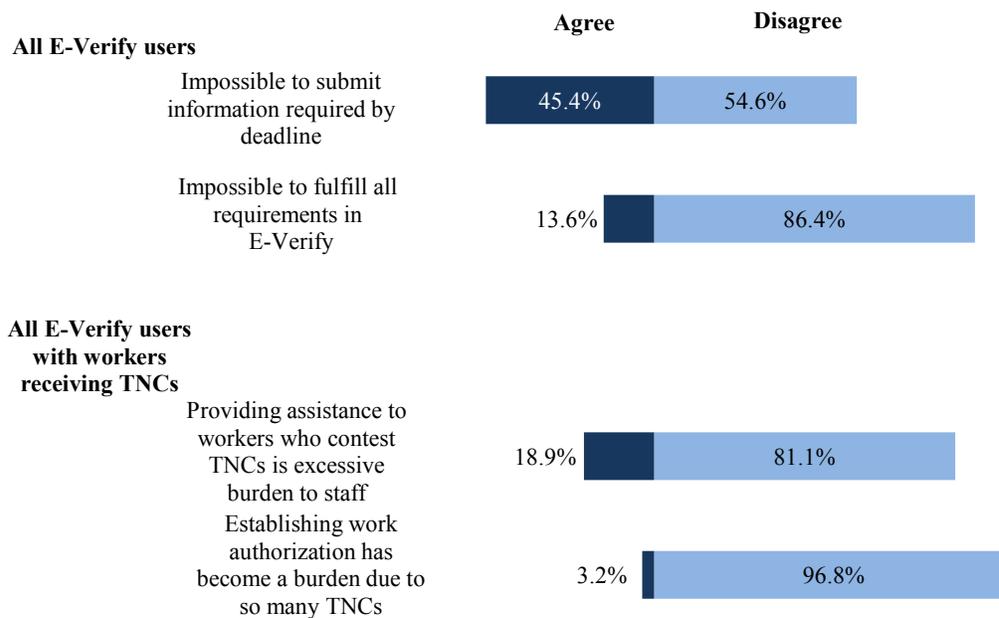
E-Verify employers reported some burden associated with the E-Verify process. Submitting case information within the required three-day deadline is the most frequently cited burden for E-Verify users

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<sup>65</sup> Chapter V1 presents data on other burdens associated with E-Verify use, including whether it is burdensome to use the E-Verify system, whether it is a burden to pass the tutorial knowledge test (previously called the mastery test) before being allowed to use the online verification, and whether mandated users would continue using E-Verify if they were no longer required to do so.

in 2015. Almost half (45 percent) of E-Verify users agreed that it was at times impossible to submit case information within stipulated deadlines (Figure IV-5 and Table A-19). Among employers with at least one worker receiving a TNC finding, 19 percent agreed that assisting workers with the TNC process was an excessive burden, and 3 percent agreed that the work authorization process was a burden because of too many TNCs.<sup>66</sup>

**Figure IV-5. Percent of E-Verify users reporting whether they agreed with statements about meeting E-Verify requirements, and among those with workers receiving Tentative Nonconfirmations (TNCs), percent reporting whether they agree with statements about processing TNCs: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

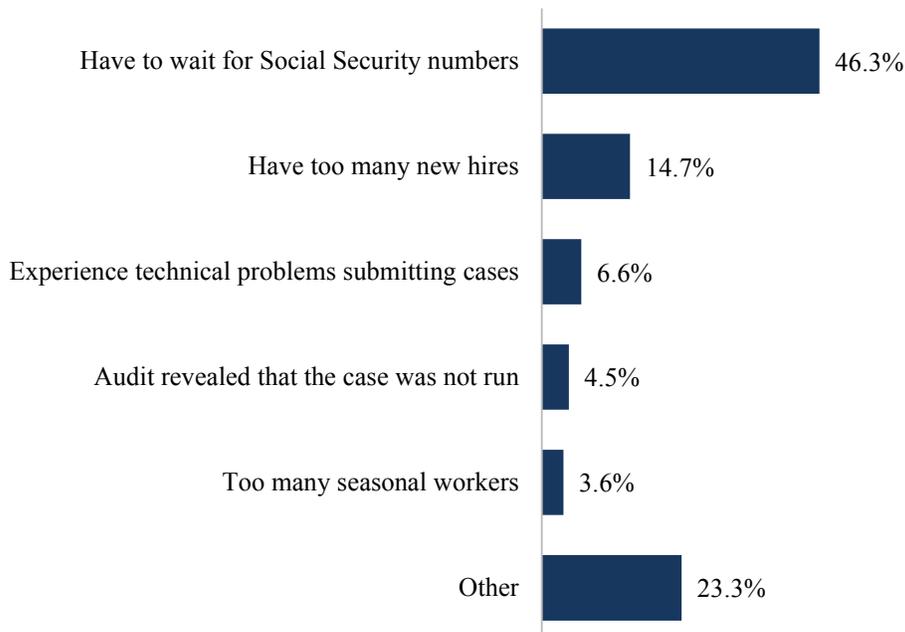
SOURCE: National Survey of E-Verify Employers: 2015.

To further understand employers' perceived burden of submitting case information within stipulated deadlines, the 2015 survey asked employers about reasons for this difficulty and the number of days they would like to have to meet this requirement. Among employers that reported difficulty in meeting case submission deadlines, close to half (46 percent) reported having to wait for Social Security numbers (SSNs) as the primary reason and 15 percent cited having too many new hires as the primary reason (Figure IV-6 and Table A-20). Fewer employers cited other primary reasons, ranging from 1 percent for verifying existing employees because they were federal contractors to 7 percent for experiencing technical problems in submitting cases.<sup>67</sup>

<sup>66</sup>The data for 2015 were not strictly comparable from the three previous survey years, because the items did not include a "Not applicable" response option. During 2015 survey development, pretest participants suggested that a "not applicable" response option was not appropriate for these items.

<sup>67</sup>Respondents were not asked to provide any additional information about the types of technical problems encountered.

**Figure IV-6. Among E-Verify users reporting difficulty with the E-Verify submission deadline, percent reporting the primary reason for this difficulty: 2015**

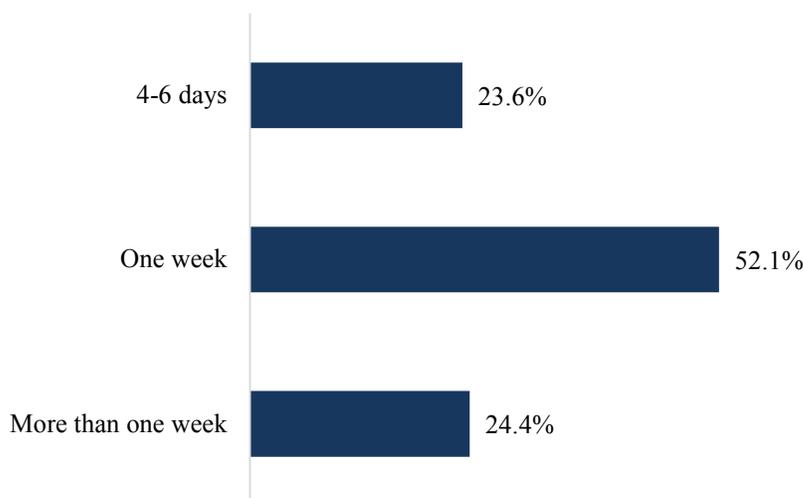


NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

When asked to provide the number of days that employers would like to have to submit cases for new hires, the most frequently cited preferences were a week (52 percent), more than a week (24 percent), and 5 days (20 percent) (Figure IV-7 and Table A-20). The remaining employers preferred 6 days (3 percent) or 4 days (1 percent).

**Figure IV-7. Among E-Verify users reporting difficulty with E-Verify submission deadline, percent indicating the number of days they would like to have for the deadline: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

In previous survey years, employers were asked a series of questions on the actual costs for various aspects of setting up and maintaining E-Verify. This section in the survey was replaced by four items in the 2015 survey which asked employers whether the costs of setting up and maintaining E-Verify were a burden for the company and the extent to which they were a burden. This survey change was made to reduce respondent burden in providing dollar amounts for various costs and to take into account significant declines in the percent of employers reporting that costs were a burden.

In 2015, a large majority of employers (73 percent) reported that the overall costs for setting up E-Verify were not a problem for the company (Table A-21). Only 2 percent indicated that it was a burden and one-fourth (25 percent) of employers did not know the answer to this question. Similarly, most employers (81 percent) indicated that the overall costs for maintaining E-Verify were not a problem for the company, while less than 1 percent reported they were a burden and 18 percent did not have this information.

### **3.2 Perceived Impact on Workers and Companies**

To explore the impact of E-Verify usage on workers and companies, respondents were asked about the extent to which they agreed with various statements about the possible effects on attracting qualified and work-authorized job candidates, the company's existing workforce, employee-management relationships, and the company's competitiveness.

Responding to questions about the impact of using E-Verify on the company's potential workforce, a majority of E-Verify employers disagreed that its use has made it difficult for the company to attract qualified and work-authorized job applicants. In 2015, a majority of employers (75 percent) disagreed that E-Verify made it difficult to recruit qualified workers or attract work-authorized job applicants (67 percent) (Table IV-2 and Table A-22). However, 5 percent of these employers agreed that using E-Verify has made it difficult to recruit qualified workers, and 7 percent felt that E-Verify usage has caused a reduction in the number of work-authorized job applicants.

**Table IV-2. Percent of E-Verify users reporting whether they agreed with statements about the perceived impact of E-Verify on the company and workers: 2008, 2010, 2013, and 2015**

Impact	2008	2010	2013	2015
<b>The number of work-authorized persons who applied for jobs decreased because E-Verify was used</b>				
Agree	14.0	5.6	6.3	7.3
Disagree	64.2	72.1	71.2	66.6
Not applicable	21.8	22.4	22.5	26.2
<b>Qualified workers were difficult to recruit because E-Verify was used</b>				
Agree	5.8	5.6	4.5	4.7
Disagree	75.9	76.1	78.1	74.9
Not applicable	18.3	18.3	17.3	20.4
<b>Using E-Verify damaged the employee-management relationship</b>				
Agree	2.3	1.3	1.4	1.4
Disagree	79.3	80.7	81.0	78.8
Not applicable	18.4	18.0	17.6	19.7

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

While employer perceptions of the impact of E-Verify on their company's ability to recruit qualified workers in 2015 did not change significantly from 2010 and 2013, the percent of employers reporting a negative impact of E-Verify usage on work-authorized applicants dropped from 14 percent in 2008 to 7 percent in 2015.

Survey findings suggest that employers believe that the use of E-Verify has not disrupted the employee-management relationship. In 2015, most current users (79 percent) disagreed that using E-Verify damaged the employee-management relationship and 20 percent reported that this statement was not applicable to their companies. Only 1 percent of current users reported that E-Verify damaged the employee-management relationship.

To explore the perceived impact of E-Verify usage on the companies' competitiveness, the survey asked employers whether its use had created a competitive advantage for their company and whether it had caused the company to be less competitive. In 2015, some E-Verify employers (17 percent) agreed that using E-Verify created a competitive advantage for their company, while 3 percent reported that E-Verify usage had made their company less competitive (Table IV-3 and Table A-22). Compared to E-Verify employers in 2008, a smaller proportion of the 2015 employers reported that using E-Verify created a competitive advantage for their company (17 percent versus 26 percent), suggesting a declining positive impact on the company's competitiveness.

The 17 percent of the 2015 E-Verify employers indicating that E-Verify created a competitive advantage for their companies provided reasons for this in an open-ended format. The most frequently cited reasons were related to a competitive edge in being able to obtain contracts with clients and do more business with customers. For example, employers stated that using E-Verify gave them an advantage in getting

federal or state contracts and attracting more customers from the general public. In particular, many of the employment agencies felt that using E-Verify helped to reassure clients about getting workers who are authorized to work. As some employment agencies indicated, using E-Verify is a “selling point” to their clients because it adds to the integrity of their image, reassures clients that they can trust the agency, and helps to give clients peace of mind that they are hiring authorized workers.

**Table IV-3. Percent of E-Verify users reporting whether they agreed with statements about the perceived impact of E-Verify on the company’s competitiveness: 2008, 2010, 2013, and 2015**

Impact	2008	2010	2013	2015
<b>Using E-Verify created a competitive advantage for this company</b>				
Agree	26.0	18.0	16.8	17.1
Disagree	36.6	53.2	57.0	49.9
Not applicable	37.3	28.9	26.2	33.0
<b>Using E-Verify caused this company to be less competitive</b>				
Agree	3.4	2.6	2.4	2.5
Disagree	65.5	74.0	74.7	69.9
Not applicable	31.1	23.4	22.0	27.6

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

The 3 percent of employers that reported being less competitive as a result of using E-Verify also provided reasons for their answer in an open-ended format. An analysis of the text information suggests that major reasons for this were having access to a smaller pool of potential workers and increased labor costs. For example, some employers report that:

- They sometimes lose contracts to competitors because using E-Verify increases labor costs given the time spent to verify workers and the possibility of “losing legal workers” who are not immediately found to be work-authorized.
- Other companies that do not use E-Verify are able to attract a larger pool of workers and in some industries (e.g., construction, hotel, farming) employers often do not abide by the requirement to hire only those who are authorized to work.
- Some qualified citizens and immigrants authorized to work are hesitant to apply for jobs at companies that use E-Verify because they do not want to deal with the verification process and the possibility of delays in being cleared to work.
- Some immigrants and refugees are fearful of the government and would prefer to apply for jobs at companies that do not use E-Verify. The disadvantage for companies that use E-Verify is that these workers often “work for lower wages and remain on the job longer than other workers.”

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## CHAPTER V. EMPLOYER COMPLIANCE

Employer compliance is a critical component of E-Verify’s success. While high and increasing compliance rates suggest that employers understand E-Verify requirements and are committed to meet those requirements, noncompliance could point to vulnerabilities that may impede E-Verify’s ability to meet its goals and may require program adjustments, additional or modified training and training materials, and/or communication with employers. This chapter addresses seven broad questions on employer compliance with E-Verify requirements:

- Are E-Verify users taking the necessary steps to understand program requirements for conducting employment verifications?
- For which individuals are employers confirming work authorization?
- At what point in the hiring process are employers confirming work authorization?
- How are employers confirming the identity of individuals in the verification process?
- To what extent are employers following the required procedures for handling new and recently enhanced E-Verify features for initial verification, including duplicate case alerts and the submission of workers’ email addresses?
- To what extent are employers following required procedures, including new features such as the Further Action Notice (FAN), for handling cases that result in Tentative Nonconfirmations (TNCs)?
- To what extent are employers following required procedures for handling cases that result in Final Nonconfirmations (FNCs)?

While the primary focus is on describing how well employers adhere to E-Verify requirements in 2015, this chapter also examines changes from the previous three years of the survey in 2008, 2010, and 2013, when feasible.

It is important to note that the actual rates of employer compliance are probably lower than those reported, because the findings are based on employers’ self-reported behavior. Although employers were assured that the information they provided would be kept private, some employers may not have admitted to noncompliant E-Verify behavior. Noncompliant employers may also have been less likely to agree to participate in this evaluation.

### 1. MEETING E-VERIFY TUTORIAL AND SYSTEM ID REQUIREMENTS

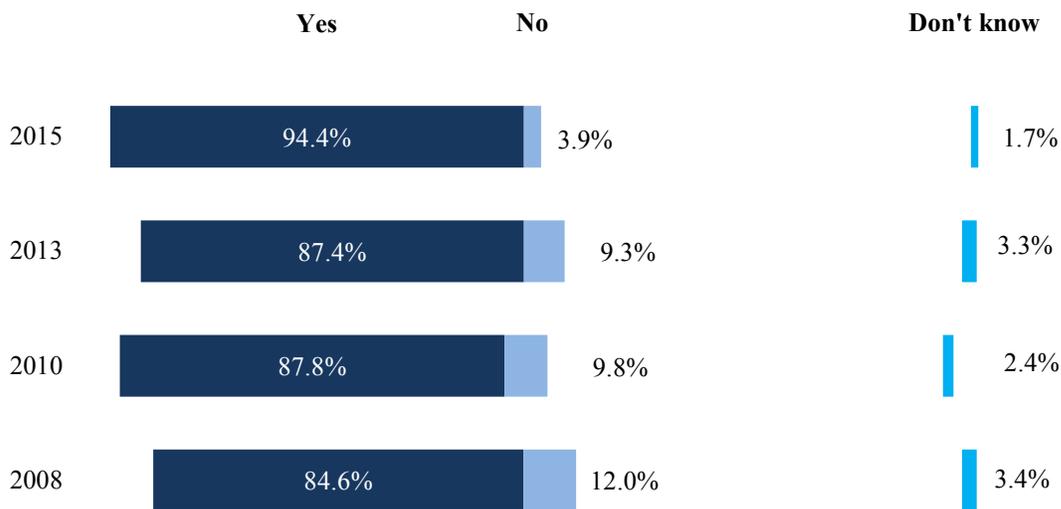
An important requirement and starting point for E-Verify users—after enrolling and signing the Memorandum of Understanding (MOU) with the U.S. Department of Homeland Security (DHS)—is completing an online tutorial on the proper implementation and use of E-Verify. After successfully completing the online tutorial, users can create or manage cases in E-Verify. For security purposes, each user must have his or her own user ID and password, which must never be shared with other users.

Across survey years, most respondents had completed the E-Verify tutorial, although a small percentage had not done so (Figure V-1 and Table A-23). In 2015, almost all survey respondents (94 percent) reported that they had completed the E-Verify tutorial. Although these respondents were presumably the

most knowledgeable about their company’s E-Verify practices, a small percentage (6 percent) either did not complete the E-Verify tutorial or did not know whether they had done so in the past. A few possible reasons for not taking the tutorial are that some employers may have enrolled in E-Verify but had never used it, or they shared user IDs and passwords and subsequently were able to circumvent taking the tutorial.

The percent of 2015 E-Verify survey respondents reporting that they had completed the tutorial increased from 85 percent in 2008 to 94 percent in 2015, suggesting improvement in E-Verify user compliance with this requirement.

**Figure V-1. Percent of survey respondents reporting whether they completed the E-Verify tutorial: 2008, 2010, 2013, and 2015**

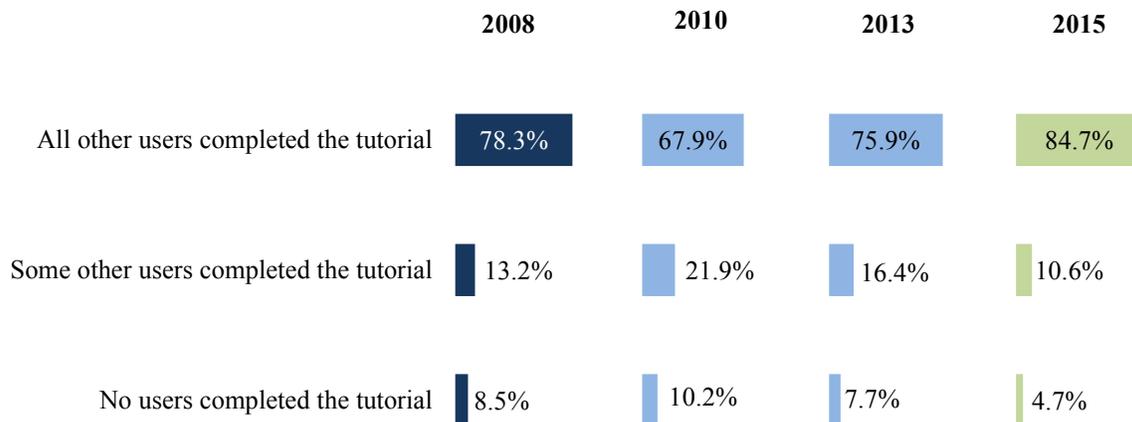


NOTE: Sum may not add to 100 percent because of rounding.  
 SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

Survey respondents from the 38 percent of companies with multiple E-Verify users were asked about other staff members who had completed the E-Verify online tutorial. Most survey respondents in 2015 reported that the E-Verify tutorial was completed by *all* other staff members using E-Verify (85 percent) (Figure V-2 and Table A-23). However, the remaining respondents indicated that the tutorial was completed by *some* (11 percent) or *none* of the other staff members who use E-Verify (5 percent).

The percent of E-Verify users reporting that all other users had completed the tutorial increased from previous survey years, from 78 percent in 2008 to 85 percent in 2015, providing additional support for recent improvements in user compliance with the requirement.

**Figure V-2. Among companies with multiple users, percent of survey respondents reporting whether other users completed the tutorial: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

To ensure new users complete the required online tutorial and protect worker privacy, E-Verify requirements prohibit sharing user IDs or passwords with other users. Among companies with multiple E-Verify users in 2015, a small percentage (12 percent) violated this rule (Table A-23). The percentage of E-Verify companies reporting the practice of sharing user IDs did not change significantly since 2008. Suggesting possible noncompliance with other E-Verify requirements, users who share passwords do not take the online tutorial or knowledge test and are probably uninformed about E-Verify policies. The findings also raise some questions about whether users do not know about this requirement, or they know about it but forgot about it or choose to ignore it.

## 2. TYPES OF WORKERS VERIFIED USING E-VERIFY

Current E-Verify employers were asked whether they used E-Verify to confirm employment eligibility for all new hires, existing employees who were hired prior to the company's implementation of E-Verify, and existing employees who were believed to be unauthorized.<sup>68</sup>

<sup>68</sup> Similar questions were also asked in 2008. However, due to changes in question phrasing, survey data from 2008 were not comparable and are not presented.



*All new hires.* With some exceptions, E-Verify employers are required to confirm the work authorization of all new hires.<sup>69</sup> In 2015, almost all E-Verify users reported that they adhered to this rule (97 percent). This percentage was similar to 2013 but increased slightly from 2010 when 95 percent of employers used E-Verify for all new hires (Table V-1 and Table A-24). This change over time was also observed for current users with a federal mandate to use E-Verify, but not for nonmandated users.

**Table V-1. Percent of E-Verify users reporting when E-Verify was used to confirm work authorization, by type of worker verified: 2010, 2013, and 2015**

Requirement	All new hires			Existing employees hired prior to E-Verify			Existing employees believed not to be authorized		
	2010	2013	2015	2010	2013	2015	2010	2013	2015
All current E-Verify users	95.3	97.1	97.1	15.1	19.8	23.7	8.0	8.7	10.5
Current E-Verify users with federal mandate	93.7	96.5	97.3	30.5	30.7	39.8	10.6	8.7	10.9
Current E-Verify users with no federal mandate	95.8	97.4	97.3	9.5	14.1	16.9	6.9	8.8	8.6

SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

*Existing employees.* E-Verify users with no federal requirement to use E-Verify are prohibited from verifying workers who were employed by the company prior to the company’s implementation of E-Verify. In 2015, some companies with no federal mandate reported violating this E-Verify requirement (17 percent), representing an increase from 10 percent in 2010 (Table V-1 and Table A-24). Many federal contractors (40 percent) reported using E-Verify for existing employees under the Federal Acquisition Regulation (FAR) clause.

Employers are not permitted to use E-Verify to selectively verify workers within specific subgroups, such as existing employees who they believe are not work authorized. This policy also applies to federal contractors that have the option of either verifying *only* existing employees who work on federal contracts or verifying *all* existing employees without exception. Across survey years, a small percentage of E-Verify employers reported violating the prohibition against verifying existing employees. In 2015, the percent of E-Verify employers reporting that they used E-Verify to verify existing employees they believed are not work authorized was 9 percent for companies with no federal mandate and 11 percent for

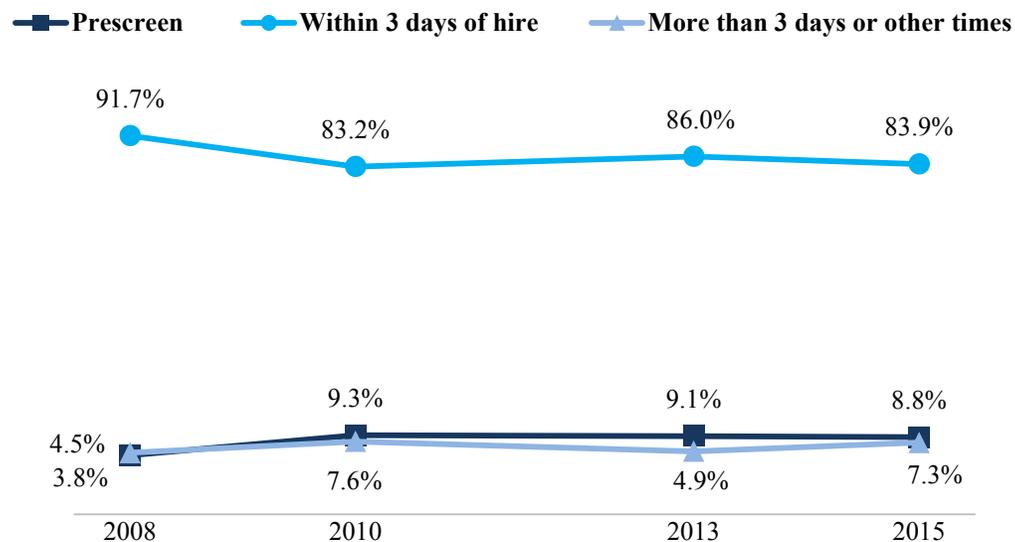
<sup>69</sup> Federal contractors are not required to verify the following categories of new hires: “employees who have an active confidential, secret or top secret security clearance in accordance with the National Industrial Security Program Operating Manual (NISPOM) or employees for whom background investigations have been completed and credentials issued pursuant to Homeland Security Presidential Directive-12 (HSPD-12).” Although federal contractors are not required to verify these types of new hires, they may elect to do so. In addition, some federal contractors are required to use E-Verify only for new hires assigned to a covered federal contract and are not required to verify all new hires (e.g., federal contractors that are institutions of higher learning (as defined at 20 U.S.C. 1001(a)), state or local governments, governments of federally recognized Indian tribes, or sureties performing under a takeover agreement entered into with a federal agency under a performance bond). See *E-Verify Supplemental Guide for Federal Contractors*, September 2012 ([http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/guide-federal-contractor\\_comp.pdf](http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/guide-federal-contractor_comp.pdf)).

those with a federal mandate. These percentages did not change significantly from 2010 or 2013, indicating this noncompliant behavior persists.<sup>70</sup>

### 3. TIMING OF E-VERIFY USE

Across survey years, a small percentage of E-Verify users reported practices that constitute prescreening, or submitting worker information to E-Verify prior to the offer and acceptance of a job, a practice that is prohibited by E-Verify in order to protect the rights of employment-authorized workers. The percent of E-Verify users reporting prescreening practices increased from 4 percent in 2008 to 9 percent in 2010 and it has remained stable since then (Figure V-3 and Table A-25).

**Figure V-3. Percent of E-Verify users reporting when E-Verify is typically used to confirm employment eligibility: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding. Employers prescreen workers when they confirm work authorization before a job offer is made and accepted.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

There was also a decline in employer compliance with the three-day rule. The percent of employers adhering to this rule dropped from 92 percent in 2008 to 83 percent in 2010 and it has not changed significantly since then. This finding could be due to increasing numbers of companies that are mandated to use E-Verify but that choose not to meet these program deadlines.

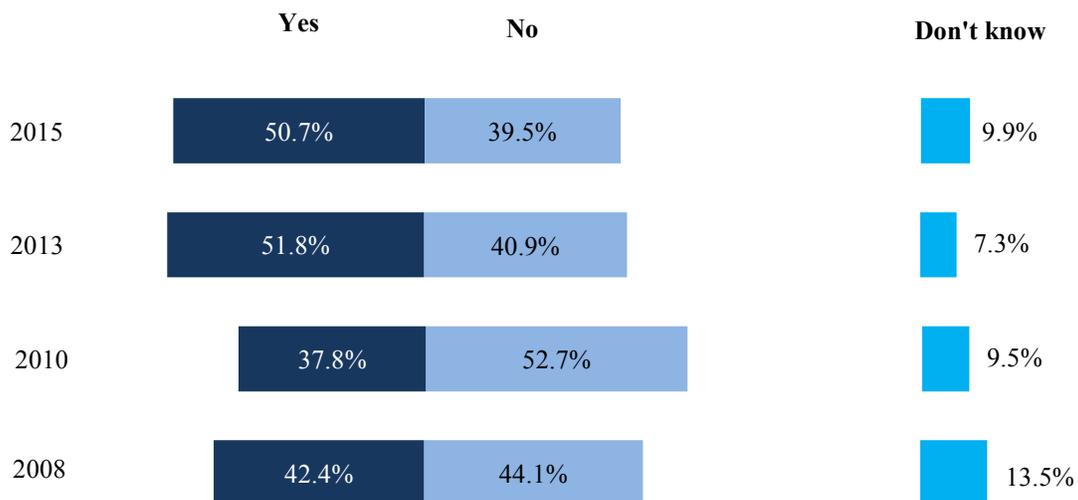
<sup>70</sup>These data were not collected in 2008.

#### 4. USE OF PHOTO MATCHING IN THE VERIFICATION PROCESS

E-Verify’s Photo Matching process requires employers to verify that the photo displayed in the E-Verify response is identical to the photo on the document that the worker presented for section 2 of Form I-9.<sup>71</sup> As evidence of identity, E-Verify also allows for workers to present any acceptable List A or B documentation that bears the worker’s photograph to complete Form I-9; however, employers may not require a worker to present a specific document.

About half of E-Verify users (51 percent) used Photo Matching in 2015 (Figure V-4 and Table A-26). While this percentage did not change significantly from 2013, it represented an increase from 42 percent in 2008 and 38 percent in 2010,<sup>72</sup> which is likely due to the addition of passports and passport cards to Photo Matching, effective September 26, 2010.

**Figure V-4. Percent of E-Verify users reporting whether they had ever used Photo Matching: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.  
 SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

*Request for specific documents.* According to both I-9 and E-Verify requirements, employers that ask for specific I-9 documents may violate federal law prohibiting discrimination in the verification process.<sup>73</sup> In 2015, among the 51 percent of employers that reported using Photo Matching in the verification process, 8 percent reported that their use of E-Verify Photo Matching influenced the types of documents requested from workers (Table A-26), which violates a Federal law on which the E-Verify rule is based.

<sup>71</sup> Photo Matching is activated automatically if a worker has presented for his or her Form I-9 a Permanent Resident Card, Employment Authorization Document, or U.S. passport or passport card. Other documents with photos (such as a driver’s license) will not activate Photo Matching.

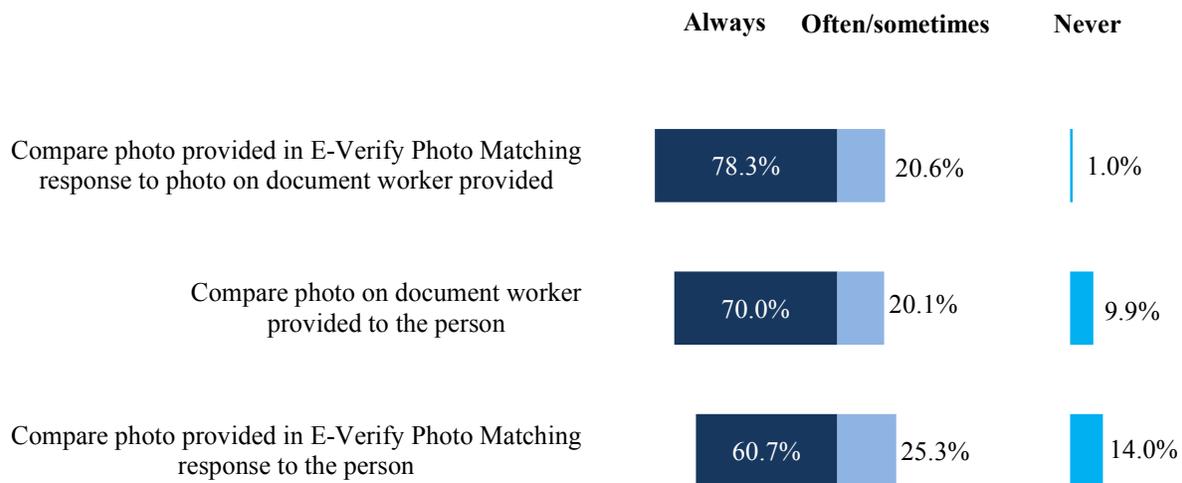
<sup>72</sup> Photo Matching is activated automatically only when a worker has provided a U.S. passport or passport card, Permanent Resident Card (Form I-551), or an Employment Authorization Document (Form I-766) as the Form I-9 document.

<sup>73</sup> An exception is that E-Verify users must obtain from their workers an identity document with a photo. However, employers are not permitted to ask for a *particular* document with a photo. E-Verify Photo Matching is activated automatically if a worker presents an I-551 (Permanent Resident Card), Form I-766 (Employment Authorization Document), or a U.S. passport or passport card. Employers are not permitted to deliberately trigger Photo Matching by asking for these particular I-9 documents.

*Confirming worker identity during the E-Verify Photo Matching process.* In providing instructions for confirming worker identity during the Photo Matching process, the E-Verify manual states “Do not compare the photo displayed by E-Verify to the actual employee. Employers should have directly compared the document to the employee during Form I-9 completion and prior to creating the E-Verify case.”

The 2015 survey asked employers about the specific comparisons they made during the Photo Matching process. Most E-Verify employers that used Photo Matching reported that they *always* adhered to the requirement of comparing the photograph returned by Photo Matching to the document provided by the worker (78 percent) (Figure V-5 and Table A-27). However, 21 percent reported complying with this requirement often or sometimes while 1 percent never did so. Failure to comply with this requirement potentially results in employers’ not detecting identity fraud.

**Figure V-5. Among E-Verify users that used Photo Matching, percent reporting how they used it, and how often, to confirm the identity of workers: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

Of the respondents reporting that they used Photo Matching, 61 percent always compared the photo in the Photo Matching response to the person. In addition, 70 percent of the employers indicated that they always compared the photograph on the document the worker provided to the person during the E-Verify Photo Matching process. The relatively high noncompliance of employers to the Photo Matching rules could mean that some employers may be confusing Form I-9 procedures with E-Verify Photo Matching procedures.

## 5. RECENT CHANGES IN E-VERIFY CASE SUBMISSION PROCESS

The 2015 survey asked about two recent enhancements to the initial verification process: duplicate case alert and email notification to workers with Tentative Nonconfirmations (TNCs). On July 1, 2014 E-Verify implemented a duplicate case alert feature to prompt users when they are creating multiple E-Verify cases for the same worker. When a case is submitted, E-Verify will check for duplicate cases based on Social Security number (SSN) and prompt the user in situations where the SSN matches a case previously entered by the same employer within the prior 30 days.

A second major E-Verify enhancement instituted on July 1, 2013 is email notification to workers who receive TNCs. When workers provide email addresses on their Form I-9, employers are required to submit this information to E-Verify. While TNC email notification is helpful if employers forget to notify workers, it is important to note that employers are still required to inform workers in private about TNC findings. This section reports 2015 survey data on how employers implemented these two enhancements.

### 5.1 Duplicate Case Alert

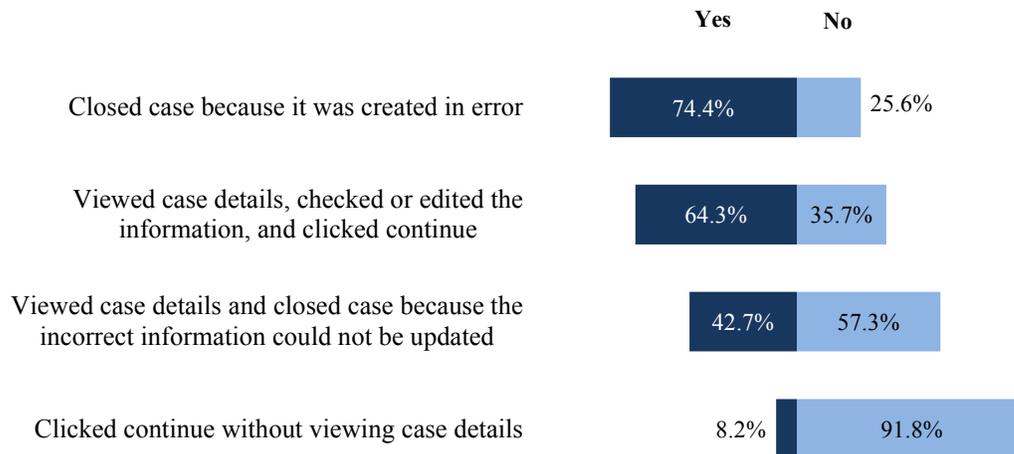
According to the 2015 E-Verify User Manual, a duplicate case alert can occur for several reasons and it does not necessarily mean that the new case should be closed. In some instances, an employer must create a new case for the same worker, such as in the case of a rehire or if the previous case contains incorrect information. However, it is important for employers to review the case details and decide whether to continue with the case. When prompted by a duplicate case alert, employers should:

- Click “View Case Details” to review the case information to determine whether they will continue with the case.
- If the information is incorrect, update the appropriate information, and then click “Continue.”
- If the employer determines it should continue with the case, click “Continue” and select a reason from the options presented in E-Verify.
- If the case is truly a duplicate, there is no need to continue with the case.

The 2015 E-Verify employer survey gathered information about how often employers had duplicate case alerts and how they responded to these alerts. The majority of E-Verify employers (70 percent) never had a duplicate case alert, 8 percent had the alerts often or sometimes, and 22 percent rarely had it (Table A-28).

The 30 percent of E-Verify users that had duplicate case alerts were asked whether they used each of four ways to respond to the alert. Most of the employers appear to comply with required procedures for responding to duplicate alerts. About three-fourths (74 percent) closed the case because it was created in error; 64 percent viewed the case details, checked or edited the information, and clicked continue; and 43 percent viewed the case details and closed the case because the incorrect information could not be updated (Figure V-6 and Table A-28). Only 8 percent were noncompliant in that they clicked continue without viewing the case details, which could lead to inaccurate TNCs.

**Figure V-6. Among E-Verify users reporting duplicate case alerts, percent reporting their actions in response to the alert: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

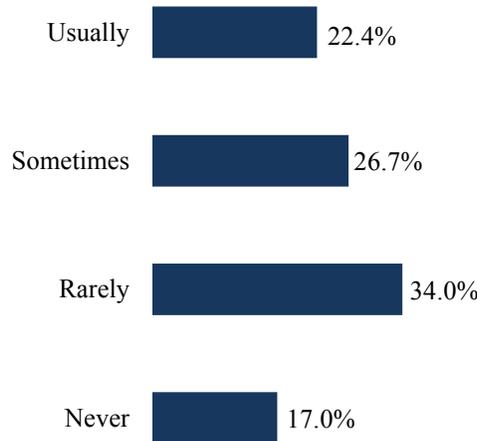
## 5.2 Submitting Worker Email Addresses

On July 1, 2013 E-Verify implemented an enhancement to allow email notifications to workers of a TNC at the same time E-Verify notifies the employer. This enhancement was implemented to increase the likelihood that the worker will be informed of TNCs, because, as indicated in prior evaluations, employers do not always inform their workers of TNCs. Workers will receive an email notification only if they provided valid email addresses in Section 1 of Form I-9 and their employer has included this information when submitting the case to E-Verify. While it is voluntary for workers to include email addresses in their Form I-9, employers are required by E-Verify to submit this information if the worker provides it.<sup>74</sup> The 2015 survey asked employers how often workers provided email addresses on their Forms I-9 and, if the email address was provided, how often this information was submitted to E-Verify during the verification process.

Although the opportunity to provide email addresses on Form I-9 is designed to benefit workers, only 22 percent of E-Verify employers reported that workers usually provided this information (Figure V-7 and Table A-29). Employers also reported that workers provided this information sometimes (27 percent) or rarely (34 percent), while 17 percent indicated that the workers never provided it.

<sup>74</sup> Workers may provide any email address, including their work email address. It is important to note that the new email notification process does not replace the current TNC process; employers are still required to notify workers of TNCs and their right to contest.

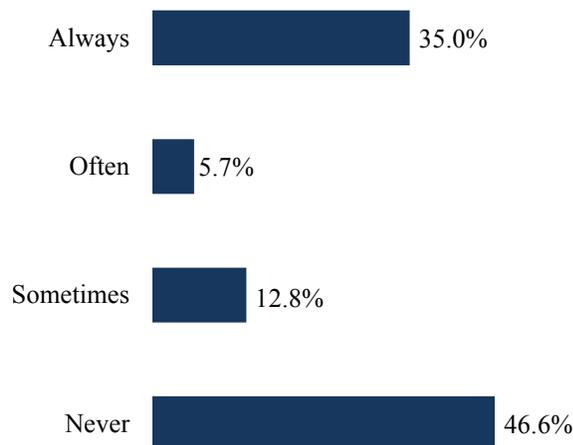
**Figure V-7. Percent of E-Verify users reporting how often workers provided email addresses: 2015**



NOTE: Sum may not add to 100 percent because of rounding.  
 SOURCE: National Survey of E-Verify Employers: 2015.

Among the 83 percent of E-Verify employers indicating that workers usually, sometimes, or rarely provided email addresses, close to half (47 percent) indicated they never submitted this information to E-Verify during the verification process (Figure V-8 and Table A-29). About one-third (35 percent) complied with E-Verify rules and always submitted this information, while about 19 percent did so often or sometimes.

**Figure V-8. Among E-Verify users reporting that workers provided email addresses, percent reporting how often they submitted this information to E-Verify: 2015**



NOTE: Sum may not add to 100 percent because of rounding.  
 SOURCE: National Survey of E-Verify Employers: 2015.

Employers that did not always submit the email addresses provided by workers were asked to state reasons for their decision in an open-ended question format. The most frequently cited reason was it was not a required field.<sup>75</sup> Employers also indicated that:

- Providing email addresses is not a priority.
- They need to protect worker privacy and this is too much information to submit to the government. Some workers ask employers not to submit this information.
- They cannot always read the worker's handwriting.
- They did not realize that this information should be submitted to E-Verify and some employers never noticed the space to enter this information into the system.
- They are too busy to take this extra and unnecessary step in submitting cases.

## 6. TNCs DUE TO DATA ENTRY ERRORS

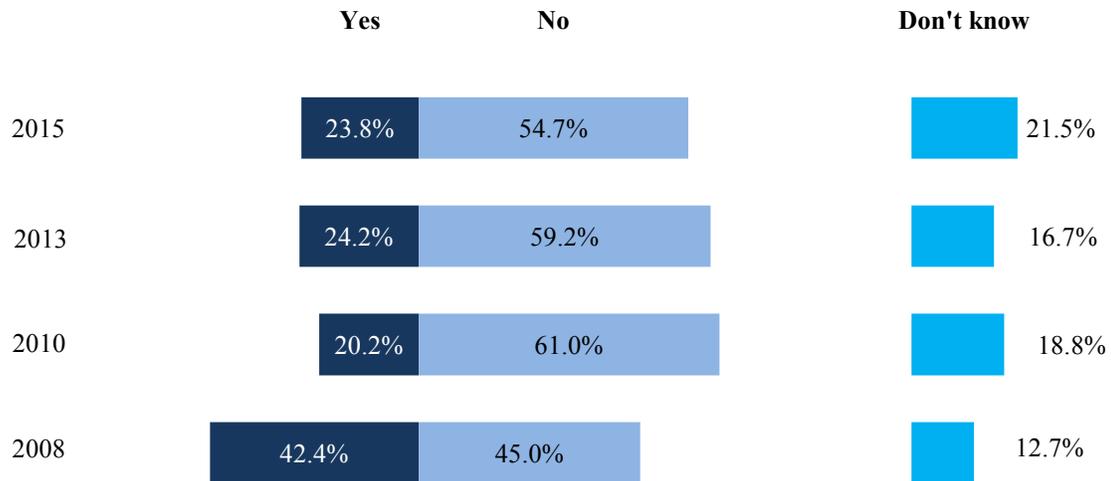
In cases where TNCs are generated because of data entry mistakes, such as typographical errors, employers are required to close the original case and then enter the corrected information as a new case. In closing the original case, the employer should choose “The case is invalid because the data entered are incorrect” (formerly Invalid Query) as the case closure statement.

*Employers receiving TNCs due to data entry mistakes.* In 2015, almost one-fourth of E-Verify users (24 percent) reported having received TNCs that were the result of data entry mistakes when entering Form I-9 information into E-Verify (Figure V-9 and Table A-30). Although not a compliance issue, this percentage dropped from 42 percent in 2008 to 20 percent in 2010, but it has remained relatively steady since then, indicating that additional measures may be required to further reduce such errors.

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<sup>75</sup> Although the June 30, 2013, and the March 2015 E-Verify User Manuals say, “When the employee provides an email address on Form I-9, you must enter it into E-Verify,” it also states, “a red asterisk (\*) indicates a required field.” However, there is no asterisk next to the email address field on the screen shot in the manual or in the system, which could account for the high employer noncompliance.

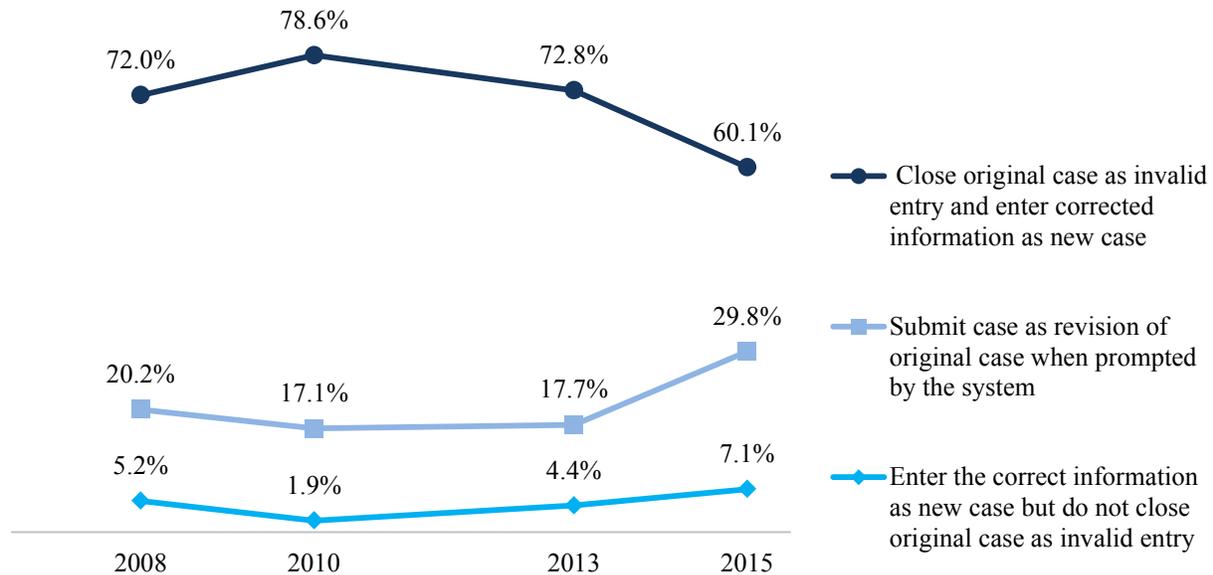
**Figure V-9. Percent of employers reporting receiving any Tentative Nonconfirmations (TNCs) due to data entry error: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.  
 SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

*Closing cases with TNCs that are due to data entry mistakes.* Among the 24 percent of E-Verify employers reporting TNCs that resulted from data entry mistakes, 60 percent in 2015 reported that they followed the correct procedure by closing the original case and entering a new case (Figure V-10 and Table A-30). Counter to E-Verify rules, some 2015 employers submitted the case as a revision of the original case when prompted by the system (30 percent), while a few entered the correct information as a new case without closing the original case as incorrect (7 percent).

**Figure V-10. Among employers with Tentative Nonconfirmations (TNCs) due to data entry error, percent reporting how they typically correct the error: 2008, 2010, 2013, and 2015**



SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

The data show a decline in employer adherence to E-Verify requirements for closing cases that are due to data entry mistakes. Compared with data from the previous survey years, the 2015 percentage represented a decline for employers that correctly closed the original case as an invalid entry and entered corrected information as a new case—from 72 percent in 2008 to 60 percent in 2015. There was an increase for employers that reported submitting the case as a revision of the original case (an incorrect action) when prompted by the system—from 20 percent in 2008 to 30 percent in 2015. The implications of this finding may simply point to the need for additional training to focus on these common mistakes.

## 7. TNCs NOT DUE TO DATA ENTRY ERRORS

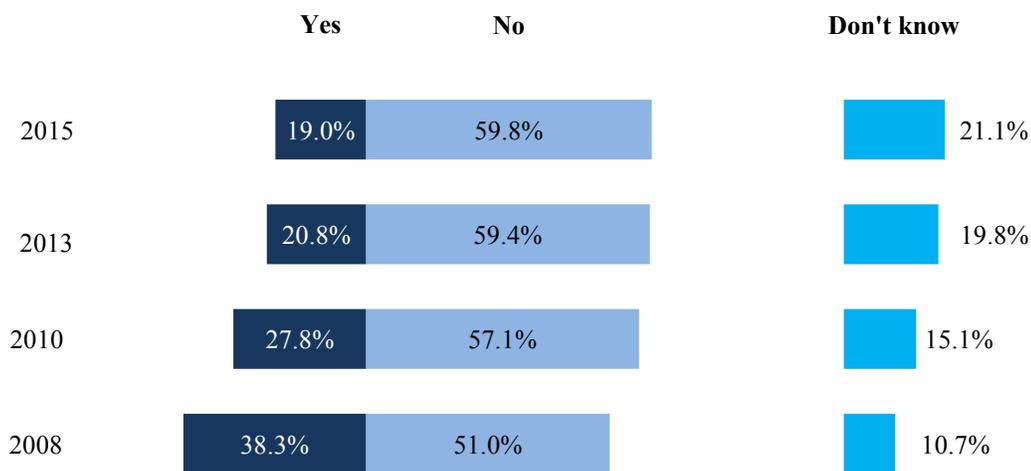
When an employer receives a TNC finding for a worker, the employer is required to adhere to specific requirements for informing the worker about the results and necessary follow-up action for workers who choose to contest the TNC. Effective September 2013, DHS implemented the Further Action Notice (FAN) and Referral Date Confirmation to replace the TNC Notice and Referral Letter. The FAN explains the reason for the TNC, the worker's right to contest it, and instructions on how to resolve the problem. After employers receive the FAN and inform workers that they have received a TNC, employers are instructed to take the following actions:

- If the worker decides to contest the TNC, the employer needs to refer the case to E-Verify in order to generate the Referral Date Confirmation, which specifies the date by which the worker must visit Social Security Administration (SSA) or contact DHS to resolve the issue.
- The employer is required to select the language of the Referral Date Confirmation, print it, and give it to the worker.

This section of the report describes employers’ compliance with E-Verify’s requirements regarding TNCs and the use of the FAN.

The percentage of E-Verify users reporting that they received a TNC finding for workers not due to data entry errors was 19 percent in 2015, reflecting a decline from 38 percent in 2008 and 28 percent in 2010 (Figure V-11 and Table A-31).<sup>76</sup> It should be noted that the percent of respondents who answered “don’t know” increased from 11 percent in 2008 and 15 percent in 2010 to 21 percent in 2015, which could account for the decline in employers with workers receiving TNCs.

**Figure V-11. Percent of employers reporting receiving any Tentative Nonconfirmations (TNCs) not due to data entry error: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.  
 SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

**7.1 Adherence to TNC Notification Policies Using the FAN**

In 2015, employers were asked how often they complied with rules stated in the FAN for processing TNC findings for their workers. Among the 19 percent of E-Verify users that had workers receiving TNCs, 62 percent reported using the FAN to process the finding. Almost all of these employers (99 percent) indicated that they informed workers about the finding (not shown in figures or tables).

*Discussed finding in private, signed FAN, and provided Referral Date Confirmation.* Almost all employers that used the FAN to process worker TNCs reported that their companies *always* met the requirements of discussing the FAN in private, signing the FAN, and providing workers with the Referral Date Confirmation. Among the 62 percent of E-Verify users that had workers with TNCs and used the FAN, 99 percent informed workers about TNC findings in private, while the remaining 1 percent did not always adhere to this rule or the situation was not applicable to their company’s experience (Table V-2 and Table A-32). Similarly, 93 percent of the employers that had workers with TNCs and used the FAN indicated they *always* signed the FAN after workers signed it, less than 1 percent did not always meet this requirement, and 6 percent reported that the situation was not applicable to their company’s experience.

<sup>76</sup> Factors contributing to changes to the TNC rate over time are discussed in the 2016 accuracy report.

In addition, 95 percent of employers using the FAN *always* provided the workers with the Referral Date Confirmation, while less than 1 percent did not always meet this requirement and 5 percent reported that the situation was not applicable to their company's experience.

*Kept copy of signed FAN.* Most of E-Verify users (81 percent) that used the FAN to process worker TNCs reported that they *always* kept a copy of the workers signed FANs; 5 percent did not always adhere to this requirement, while 14 percent indicated that this situation was not applicable to their company's experience, which may be partly due to being unable to locate the worker (Table V-2 and Table A-32). After dropping the "not applicable" cases from the analysis, 86 percent of the employers reported that they always met this requirement (not shown in figures or tables).

**Table V-2. Among employers that used the Further Action Notice (FAN), percent reporting how often they followed the rules for using it: 2015**

Rule	Always	Not always/never	Not applicable
Discuss FAN privately with workers	99.3	0.4	0.2
Sign FAN after workers sign it	92.8	1.3	5.9
Provide workers with the Referral Date Confirmation	94.5	0.7	4.9
Keep a copy of workers' signed FAN	81.4	4.6	14.0
If needed, provide workers with translated version of FAN	74.9	2.6	22.5

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

*Provided translated version of FAN.* Similarly, when asked whether they provided workers with a translated version of the FAN, if needed, about three-fourths of E-Verify users reported that they adhered to this requirement, while only 3 percent did not do so and 23 percent indicated that this situation was not applicable to their company's experience (Table V-2 and Table A-32), presumably because they did not have any worker with this need. After dropping the "not applicable" cases from the analysis, 89 percent of the employers reported that they always met this requirement when needed (not shown in figures or tables).

## 7.2 Other TNC Notification Issues

E-Verify's email notification to inform workers about their TNCs does not waive employers' responsibility to meet requirements for notifying the workers. The 2015 E-Verify employer survey gathered information about the extent to which employers informed workers promptly about their TNCs and challenges employers faced in being able to meet other E-Verify notification requirements.

*Timeliness of TNC notification.* Prompt notification of TNC findings to enable workers to contest these findings in a timely manner is one of the provisions in the E-Verify MOU.<sup>77</sup> However, the MOU and other E-Verify documents do not specify the timeframe in which workers must be informed of TNCs. Current E-Verify employers that had received TNCs for their workers provided information on how promptly their companies conveyed this information to workers. Among the 19 percent of 2015 E-Verify

<sup>77</sup> The E-Verify MOU states: "The Employer must promptly notify employees in private of the finding and provide them with the notice and letter containing information specific to the employee's E-Verify case." *E-Verify Memorandum Of Understanding For Employers*, revised 6/01/13, page 3 ([http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/MOU\\_for\\_E-Verify\\_Employer.pdf](http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/MOU_for_E-Verify_Employer.pdf)).

employers reporting that they had workers receiving TNCs, almost all (96 percent) reported that they notified their workers within a three-day window, with 83 percent notifying them in a day or less and 12 percent notifying workers within three days (Table A-33). Only 3 percent of the employers took more than three days to inform the worker, while about 1 percent reported that they never notified workers about the TNC.

Over time, the percent of employers with TNC findings reporting that they informed workers about the finding in a day or less decreased from 83 percent in 2008 to 73 percent in 2015.

*Not informing workers about TNC findings.* This employer requirement is especially important since workers who are not properly informed of TNCs are denied the opportunity to correct their records, which violates their rights. As discussed in Chapter IV, 3 percent of employers with workers receiving TNCs indicated that they at least sometimes fired workers without informing them and 2 percent reported that they at least sometimes did *not* tell workers about the TNC but continued to let them work. The 2015 survey did not ask a direct question about whether employers inform workers at all about their TNC findings.

Employer reports of high compliance in informing workers about TNCs is consistent with their reported behavior in a national case study, conducted by Westat in 2013, in which almost all employers reported always informing workers about TNC findings (144 of 157). However, workers who also were interviewed for this case study reported lower levels of employer compliance. Less than half of all interviewed workers receiving TNCs (78 of 175) reported that their employer told them about “problems with their work documents.”<sup>78</sup> While recall may be an issue for both workers and employers, it is reasonable to assume that employers overreported compliance because they wanted to avoid being seen in violation of E-Verify requirements.

## 8. FNC PROCEDURES

E-Verify issues an FNC case result when employment eligibility cannot be verified after the worker has visited the SSA field office or contacted DHS, depending on whether the problem is due to a mismatch with SSA or DHS records. Employers are required to close the case once an FNC is issued.

To include only employers with relevant experiences, this section focuses on current users that ever had a worker with an FNC. In 2015, only 5 percent of E-Verify users reported having a worker receive an FNC, which did not change significantly from 2010 and 2013 (6 percent and 7 percent, respectively)<sup>79</sup> (not shown in figures or tables).

Employers *may* terminate the workers’ employment when E-Verify cases result in FNCs.<sup>80</sup> In 2015, among the 5 percent of employers with workers who had received FNCs, almost all (98 percent) terminated the worker’s employment at some point (not shown in tables or figures). Less than 1 percent

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<sup>78</sup> *Findings of the E-Verify Program Evaluation National Onsite Study*, September 2014, was conducted by Westat. This was a national study of E-Verify employers with TNCs and their workers who received them; however, it was not nationally representative due to very low response rates for workers who were difficult to locate.

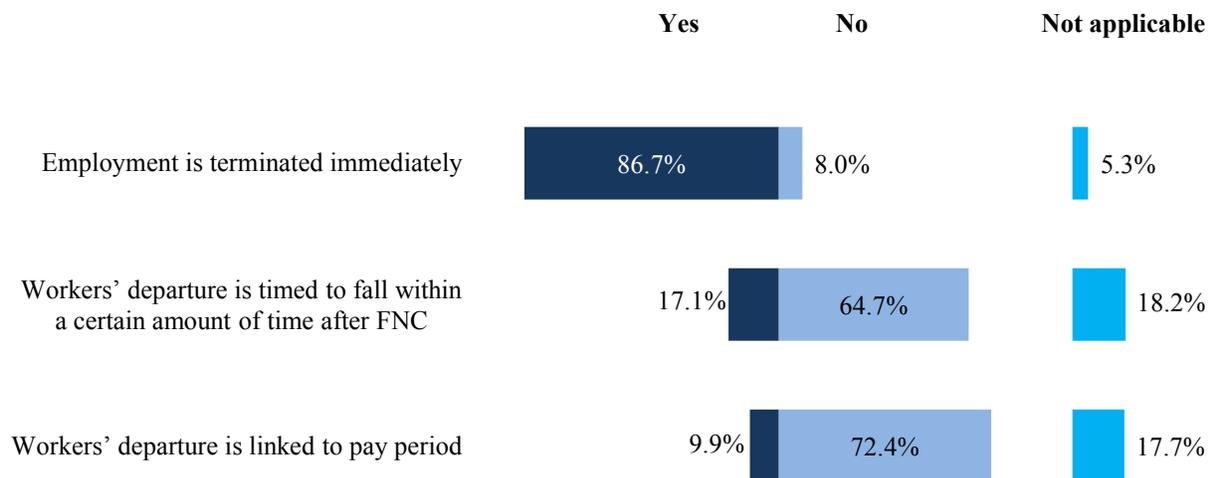
<sup>79</sup> Although the rate of issuance of FNCs has decreased over time, employers may have been reporting on FNCs that were not recently received.

<sup>80</sup> According to the E-Verify User Manual, March 2015, the employer can exercise its legal right to allow the worker to continue to work after receiving an FNC, but must choose this case closure statement.

(0.2 percent) never terminated the worker employment while 2 percent reported that the situation was not applicable to their company's experience.<sup>81</sup>

In 2015, among the 5 percent of employers with workers who had received FNCs, most (73 percent) reported that their companies *always* terminated the workers' employment immediately and another 14 percent reported doing so *sometimes* (Figure V-12 and Table A-34). A few employers reported that they did not terminate employment immediately (8 percent) or that this situation was not applicable to their company (5 percent). There were no significant changes over time in the percent of employers that always terminated workers' employment immediately or sometimes (Table A-34).

**Figure V-12. Among employers that received a Final Nonconfirmation (FNC), percent reporting how long a worker could always or sometimes remain on the job after receiving the FNC: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

A few employers with workers who received FNC case results extended the employment of these workers. These employers reported *always or sometimes* allowing workers to work for a longer period of time for reasons such as linking their departures to pay periods (10 percent) or timing their departures to fall within a certain period of time after the FNC is received (17 percent). These percentages did not change significantly from 2010 and 2013 (Table A-36).

<sup>81</sup> This estimate was calculated from employers' responses to whether they terminated the workers' employment immediately or linked the workers' departure or pay period to fall within a specified period after the FNC was received or to some other situation. The survey did not ask a specific question about whether employers ever terminated the workers' employment.

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## CHAPTER VI. EMPLOYER SATISFACTION WITH E-VERIFY FEATURES, RESOURCES, AND COMMUNICATION

To increase customer satisfaction with E-Verify and improve the usability of the system, the U.S. Citizenship and Immigration Services (USCIS) has continued to implement new enhancements and expand its communication and outreach program to better inform U.S. employers about using E-Verify. In addition to improving browser and system features, customer services, and technical assistance, USCIS has expanded its outreach activities to provide opportunities for current users and the general public to participate in webinars, blogs, and online forums on the E-Verify website.

This chapter describes employer satisfaction with E-Verify, including:

- Satisfaction with enrollment and start-up processes, system navigation, system reliability, program resources, and technical help;
- Mandated employers' willingness to continue using E-Verify if they were no longer required to do so;
- Reasons that some employers do not use E-Verify; and
- Employer recommendations for changes to improve E-Verify.

Although the primary focus of this chapter is on presenting data from the 2015 E-Verify employer survey, comparable data from the 2008, 2010, and 2013 surveys are also presented, if applicable.

### 1. SATISFACTION WITH ENROLLMENT AND START-UP PROCESS

As stated in the 2015 E-Verify User Manual, the enrollment and registration processes are not the same. Employers enroll in E-Verify by accepting and electronically signing the E-Verify Memorandum of Understanding (MOU) for Employers. Upon enrolling in E-Verify, employers are required to have at least one program administrator who is responsible for adhering to all E-Verify program rules. Program administrators are responsible for registering new users who are able to create E-Verify cases after they are assigned unique users IDs and passwords and have successfully taken the online tutorial. Despite the distinction between enrollment and registration, information obtained during survey development activities indicate that E-Verify users do not usually make this distinction but think of enrollment and registration as the same cluster of the initial E-Verify start-up process. To examine satisfaction with enrollment and user tutorial experiences, the E-Verify user surveys asked about the extent to which respondents agreed with positive and negative statements about these processes altogether, which is referred to more generically as “enrollment” in this report.

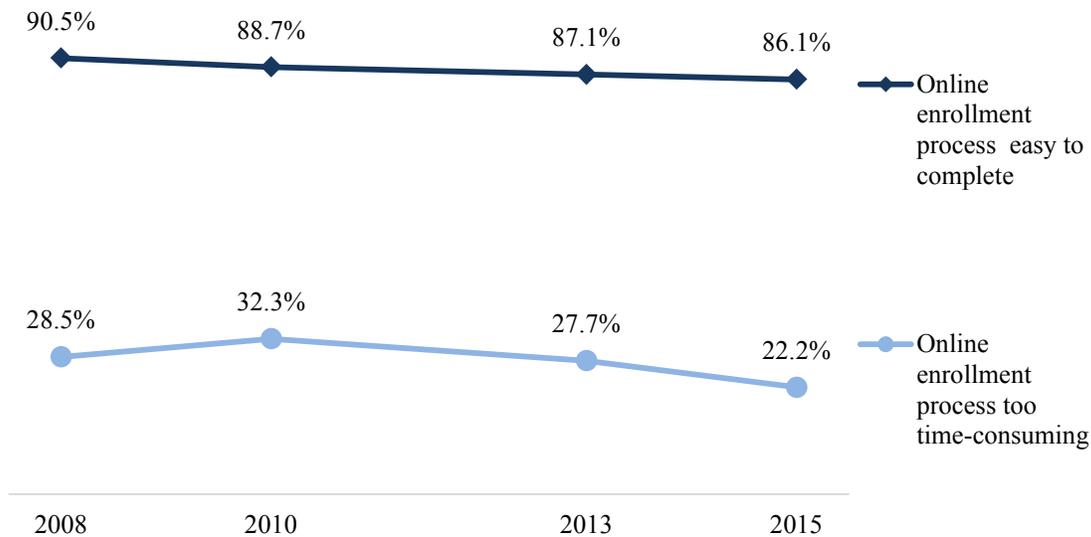
#### 1.1 E-Verify Enrollment Process

In 2015, most E-Verify employers (86 percent) agreed that the online enrollment process was easy to complete (Figure VI-1 and Table A-35).<sup>82</sup> Only 4 percent disagreed with this statement while 10 percent either did not have an answer to this question or felt that the question was not applicable to their company's experience. When presented with a negative statement about the enrollment process, some E-Verify employers (22 percent) agreed that the process was too time-consuming.

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<sup>82</sup> Throughout this report, the terms “enrollment” and “registration” are used interchangeably.

**Figure VI-1. Percent of E-Verify users agreeing with statements about their company's experience with enrollment: 2008, 2010, 2013, and 2015**



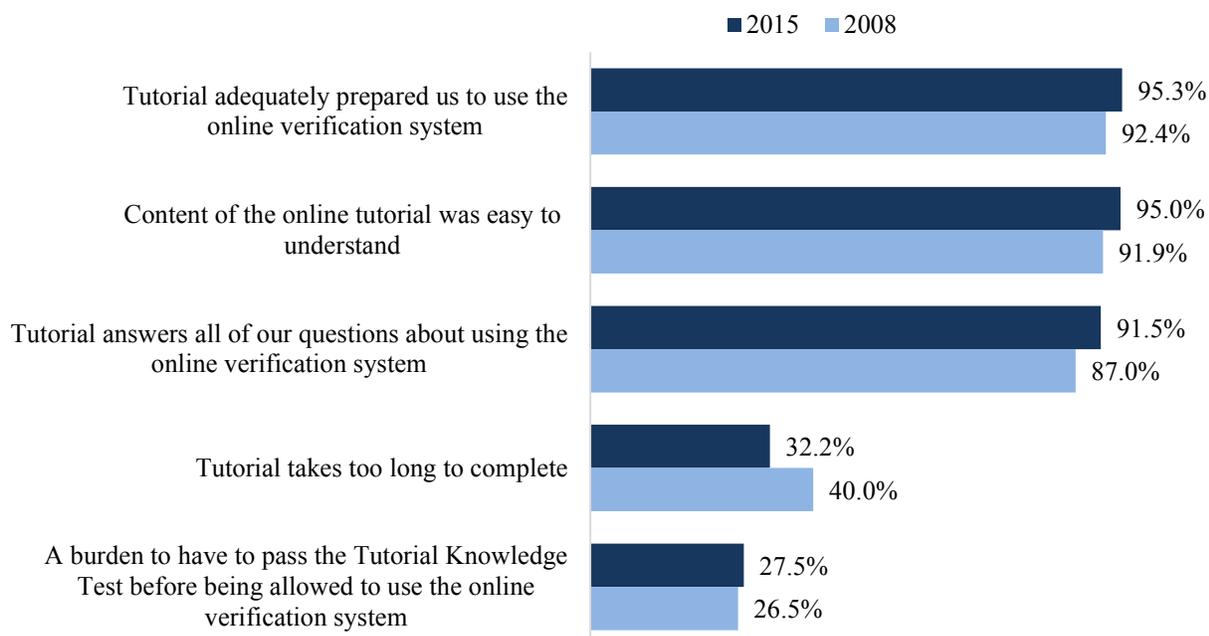
SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

Satisfaction with the E-Verify enrollment process shows mixed patterns over time. The percent of employers agreeing that the enrollment process was easy to complete dropped from 91 percent in 2008 to 86 percent in 2015, suggesting a decline in satisfaction with the process over time. On the other hand, the percent of employers agreeing that the online enrollment process was too time-consuming dropped from 29 percent in 2008 to 22 percent in 2015, which suggests that although the process may not seem as straight-forward as employers would expect, it is not perceived to be too time-consuming over time.

## 1.2. E-Verify Online Tutorial

In 2015, almost all E-Verify employers reported positive experiences with the online tutorial. The percent of employers agreeing with positive statements was equally high for those who felt that the content of the online tutorial was easy to understand (95 percent) and the tutorial adequately prepared users to use the online verification system (95 percent) (Figure VI-2 and Table A-36). In addition, 92 percent of users agreed that the tutorial answered all their questions about using E-Verify. When asked about the extent to which they agreed with negative statements about the burden associated with the E-Verify tutorial, some users in 2015 agreed that the online tutorial took too long to complete (32 percent) and passing the knowledge test before using E-Verify was a burden (28 percent).

**Figure VI-2. Percent of E-Verify users agreeing with statements about their company's experience with the tutorial: 2008 and 2015**



SOURCE: National Survey of E-Verify Employers: 2008 and 2015.

Changes in employer perceptions of the E-Verify online tutorial suggest some reduction in burden over time. The data show an increase in the percent of employers that agreed that the tutorial was easy to understand from 92 percent in 2008 to 95 percent in 2015. In addition, the percent of employers that agreed that the tutorial took too long to complete decreased from 40 percent in 2008 to 32 percent in 2015. The proportion of E-Verify users reporting burden associated with taking the knowledge test has remained fairly consistent since 2008.

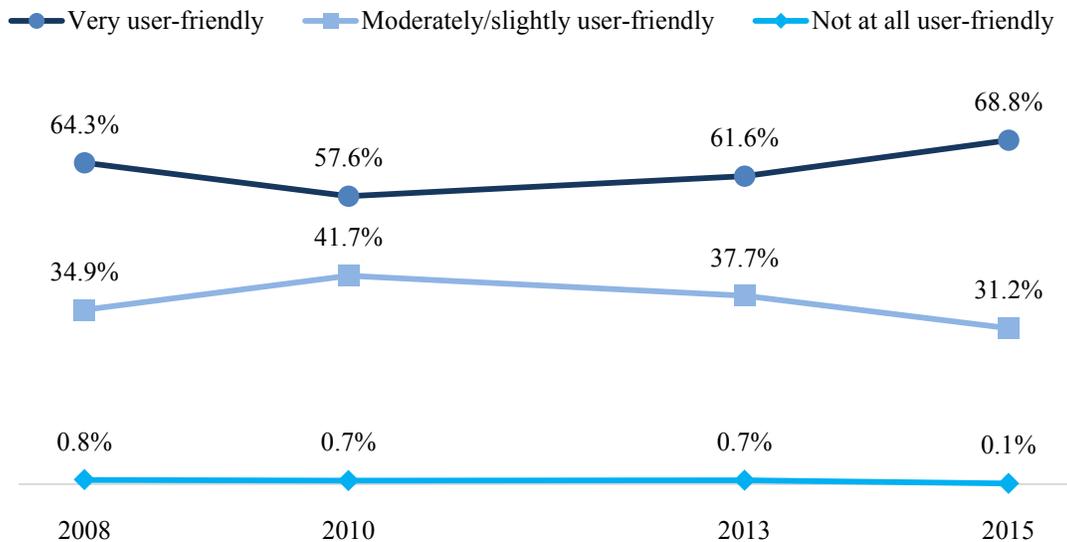
## 2. SATISFACTION WITH ACCESSING AND USING E-VERIFY

To examine the extent to which employers are able to access and use E-Verify with ease, the surveys asked about E-Verify's user-friendliness the reliability of accessing it. To assess user satisfaction with more recent program enhancements, the 2015 survey asked for the first time about users' experiences with duplicate case alerts and the Further Action Notice (FAN). As discussed in Chapter IV, USCIS implemented the duplicate case alert feature in 2014 to prompt users when they are creating multiple cases for the same worker. The Further Action Notice and Referral Date Confirmation were implemented in 2013 to replace the old Tentative Nonconfirmation (TNC) Notice and Referral letter.

### 2.1 E-Verify User-Friendliness

Employers' perceptions of the extent to which E-Verify is user-friendly reflect its overall usability. In 2015, almost all E-Verify users reported that E-Verify was user-friendly: 69 percent indicated that it was very user-friendly and 31 percent felt it was moderately or slightly user-friendly (Figure VI-3 and Table A-37). Less than 1 percent of employers indicated that the E-Verify system was not at all user-friendly.

**Figure VI-3. Percent of E-Verify users reporting the extent to which the E-Verify system is user-friendly: 2008, 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, 2015.

The perceived user-friendliness of E-Verify suggests an improvement in usability over time. The percent of users describing E-Verify as very user-friendly increased from 64 percent in 2008 to 69 percent in 2015. This finding suggests that E-Verify enhancements improved program usability.

## 2.2 E-Verify Access and Data Entry Errors

Interrupted access to the E-Verify system and frequent data entry errors could be a serious hindrance to employers' ability to confirm workers' employment eligibility in a timely manner and thus meet program deadlines. The 2015 survey asked about access issues such as E-Verify system timeouts, the federal system being down, or the employer's internet system being down. The survey also asked employers about the ease of entering worker information into the E-Verify system, especially with regards to certain types of names. Although similar data were collected in previous years of the survey, the data on these indicators are not strictly comparable because of changes in the response categories.<sup>83</sup>

In 2015, a few E-Verify employers (12 percent) reported that E-Verify was not always available because the federal system was down, and 11 percent agreed that E-Verify was not always available due to the unreliability of the employers' own internet system (Figure VI-4 and Table A-38). About one in five employers (22 percent) reported that system timeouts required the company to reenter information previously entered.

<sup>83</sup> The 2015 items did not include a "Not applicable" response option as in previous surveys because it became apparent during the survey pretest that many respondents would choose this option as an easy out and that they would disagree with the statement if the not applicable response was not offered.

**Figure VI-4. Percent of E-Verify users reporting whether they agreed with various statements about using the E-Verify system: 2015**



NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

To help minimize data entry errors, USCIS instituted pre-TNC checks in September 2007. Pre-TNC checks allow employers to recheck their data input when an initial check indicates that the worker is about to receive a TNC or the case is about to be sent for a second level review.<sup>84</sup> Despite this enhancement, 24 percent of 2015 E-Verify users agreed that it was easy to make errors when entering worker information into the E-Verify system.

As was mentioned in Chapter V, a common source of data entry errors is the incorrect spelling of workers' names, especially names that are complex or unfamiliar to users. To minimize this type of error, USCIS has added on-screen instructions to supplement additional instructions in the updated Form I-9 that went into effect on May 7, 2013.<sup>85</sup> Even with these enhancements, over one-third (37 percent) of E-Verify users in 2015 agreed that they were sometimes unsure about how to enter certain types of names (e.g., single names, compound/hyphenated last names, and very long names), suggesting the need for additional guidance and examples.

<sup>84</sup> The second-level review is the step in the E-Verify process for noncitizens consisting of a USCIS review of a case that was not found work authorized automatically. The appropriate USCIS field office staff checks to determine if supplemental information available permits finding the case work authorized without issuing a TNC.

<sup>85</sup> For additional background information on issues relating to entering complex names, see the report *Evaluation of the Accuracy of E-Verify Findings*, July 2012 ([http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/EVerify%20Studies/Evaluation%20of%20the%20Accuracy%20of%20EVerify%20Findings.pdf](http://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/EVerify%20Studies/Evaluation%20of%20the%20Accuracy%20of%20EVerify%20Findings.pdf)).

### 2.3 Duplicate Case Alerts and Further Action Notices

The 2015 E-Verify survey asked employers for the first time about their experience in using duplicate case alerts and Further Action Notices (FANs). As discussed in Chapter VI, close to one-third (30 percent) of E-Verify users reported ever having a duplicate case alert. Of these employers, about half (52 percent) found it very useful, 20 percent found it moderately useful, and 20 percent found it slightly useful (Table A-39). The remaining 8 percent felt that this new enhancement was not useful at all.

Among the 12 percent of 2015 E-Verify users that reported ever using the FAN,<sup>86</sup> almost all (95 percent) were either very satisfied (21 percent) or satisfied (75 percent) with their experience (Table A-39). Only 5 percent were dissatisfied with their experience in using the FAN.

The 2015 survey of E-Verify employers also asked E-Verify users that hired seasonal workers about how easy it was to use it to verify these workers. Among the 30 percent of employers that hired any seasonal workers, 44 percent reported that it was very easy to use E-Verify to confirm employment eligibility for these workers, 40 percent indicated it was easy, and 13 percent said it was slightly easy. Only 2 percent reported it was not at all easy to use E-Verify to confirm employment eligibility for seasonal workers.

## 3. SATISFACTION WITH E-VERIFY ONLINE RESOURCES

USCIS offers a variety of online resources to ensure that employers using E-Verify receive customer-focused service and accurate information when processing cases for employment eligibility. For example, the E-Verify online tutorial and user manual are a starting point for new users while supplemental user guides such as the E-Verify Quick Reference Guide and the Self-Assessment Guide allow for quick reference to program requirements. In addition, webinars provide ongoing training on specific program topics while mouse-over features on data-entry fields and online reports provide additional navigation and case management support to users. E-Verify users were asked about their levels of satisfaction with these online resources and whether they were aware of and had used them.

Table VI-1 presents 2015 survey data on these indicators and changes from 2010 while the appendix Table A-40 also includes 2013 survey data.

*E-Verify User Manual.* While slightly more than half (56 percent) of E-Verify users in 2015 found the online User Manual to be helpful, a few employers (4 percent) felt it was not helpful. It is important to note that about two in every five users reported that they either were not aware of this resource (8 percent) or had never used it (33 percent). In addition, the percent of E-Verify users that were either unaware of this basic E-Verify resource or had never used it increased significantly from 27 percent in 2010 to 41 percent in 2015. These findings raise questions about the extent to which employers are using E-Verify correctly and safeguarding workers from discrimination.

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<sup>86</sup> As noted in Chapter V, only 19 percent of E-Verify users reported having workers ever receiving TNCs. Of these, 62 percent used the FAN, representing 12 percent of current E-Verify users.

**Table VI-1. Percent of E-Verify users reporting the helpfulness of resources and features that are provided as part of E-Verify: 2010 and 2015**

Statement	2010				2015			
	Helpful	Not helpful	Not aware	Never used	Helpful	Not helpful	Not aware	Never used
The online E-Verify User Manual	68.5	4.1	2.4	25.0	55.8	3.7	7.5	33.1
The online tutorial	87.9	5.4	0.5	6.3	88.6	4.3	1.9	5.2
Online webinars	23.5	3.0	10.9	62.7	27.3	5.0	13.3	54.4
Reports to monitor the status of employee cases	67.1	3.4	1.2	28.3	61.4	3.5	6.3	28.8
Reports to monitor our company's use of the system	39.9	4.5	5.3	50.3	40.2	4.3	10.7	44.8
Mouse-over features on data entry fields	70.0	2.8	7.9	19.3	68.2	2.1	10.7	19.0
E-Verify Quick Reference Guide	NA	NA	NA	NA	51.5	1.5	9.2	37.9
E-Verify Self-Assessment Guide	NA	NA	NA	NA	39.0	3.5	13.0	44.5

NA = Not applicable; question was asked in 2015 only.

NOTE: Sum may not add to 100 percent because of rounding. Appendix table A-36 includes data for 2013.

SOURCE: National Survey of E-Verify Employers: 2010, 2015.

*E-Verify Online Tutorial.* In 2015, most E-Verify users (89 percent) reported that the online tutorial was helpful, with only a small proportion (4 percent) of the employers indicating that it was not helpful (Table VI-1 and Table A-36). Although new users are required to successfully take the online tutorial, 7 percent of E-Verify users indicated that they were either unaware of the tutorial (2 percent) or had never completed it (5 percent). These individuals were presumably using another employee's user ID and password to access E-Verify and process cases in violation of E-Verify requirements. While the percent of employers that were unaware of the tutorial has remained consistently low over time, the percent of employers reporting that they had never completed the tutorial decreased from 10 percent in 2013 to 5 percent in 2015. These findings are consistent with data presented in Chapter IV that suggest improvements over time in users' completing the online tutorial.

*E-Verify Quick Reference Guide and Self-Assessment Guide.* The 2015 survey asked employers for the first time about their satisfaction with the E-Verify Quick Reference Guide and the E-Verify Self-Assessment Guide. Although half (52 percent) of the respondents indicated that the E-Verify Quick Reference Guide was helpful and only 2 percent said it was not helpful, 47 percent were either not aware of this resource (9 percent) or had never used it (38 percent) (Table VI-1 and Table A-36). Likewise, 39 percent of respondents found the E-Verify Self-Assessment Guide to be helpful and only 4 percent said it was not helpful, but 13 percent were not aware of this resource and 45 percent had never used it.

*E-Verify Online Webinars.* About one in four E-Verify employers reported in 2015 that they found E-Verify webinars helpful (27 percent), while only 5 percent reported they were not helpful (Table VI-1 and Table A-36). However, as with the findings for the helpfulness of the User Manual, it is important to note that 13 percent of E-Verify users in 2015 reported being unaware of online webinars and 54 percent had never participated in them. While the percent of employers that had never participated in online webinars dropped significantly from 2010 when 63 percent had never used them, these numbers indicate a continuing need to promote awareness and use of these important online resources that are designed to improve employer compliance.

*Mouse-Over Features.* Mouse-over features on data entry fields are included in the E-Verify system to provide guidance to users. In 2015, about two-thirds (68 percent) of E-Verify users reported that the mouse-over features on data entry fields were helpful and this percentage did not change significantly from 2010 or 2013 (Table VI-1 and Table A-36). The percent of employers that were unaware of this feature (11 percent) or had never used it (19 percent) also remained fairly consistent since 2010.

*E-Verify Online Reports.* The E-Verify system generates reports that allow employers to monitor the status of workers' cases. In 2015, the majority of E-Verify users (61 percent) indicated that E-Verify reports monitoring case statuses were helpful, which demonstrated a significant positive change since 2010 when 67 percent found it helpful (Table VI-1 and Table A-36). Additionally, the percent of employers that had never used these reports in 2015 decreased significantly from 2013 but not from 2010.

When asked about the E-Verify reports on the company's usage of the system and of individual users within the company, 40 percent of the respondents in 2015 reported that they found these reports helpful, which was a significant increase from 2013 when 32 percent reported finding these reports helpful, but was similar to what was reported in 2010 (Table VI-1 and Table A-36). Although the percent of employers that had never used this type of report (45 percent) decreased significantly from both 2013 and 2010, the percentages that were not aware or had never used these reports remained high.

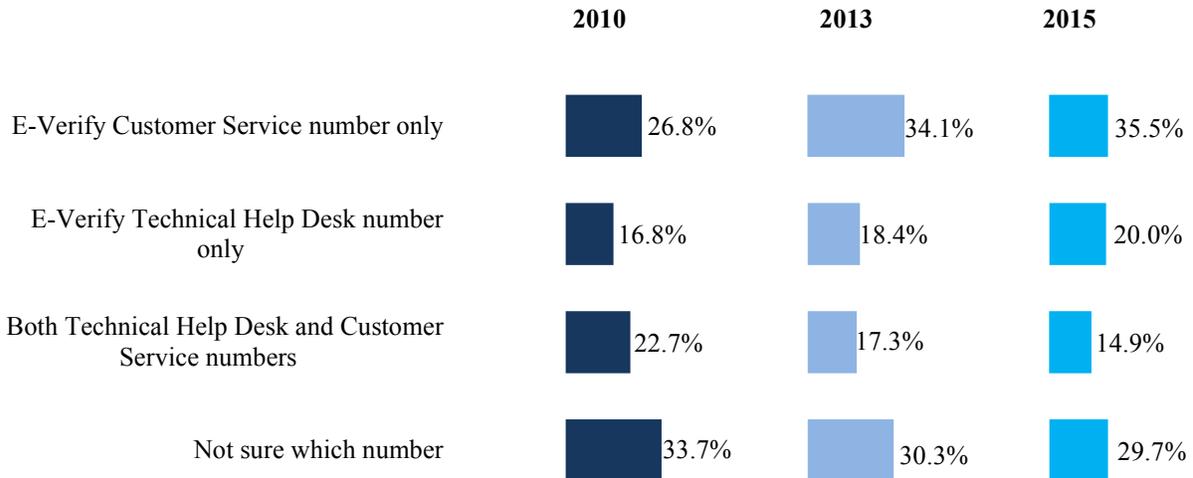
#### **4. SATISFACTION WITH E-VERIFY HELP DESK AND CUSTOMER SERVICE**

The E-Verify Help Desk and Customer Service are important sources for responding to questions from both program users and other individuals. Current E-Verify users were asked if they had ever tried calling the E-Verify Technical Help Desk or Customer Service number. Respondents that had called either number were then asked about their satisfaction with the experience and the reasons for their satisfaction or dissatisfaction.

##### **4.1 Contacting E-Verify Help Desk or E-Verify Customer Service Number**

The majority of 2015 E-Verify users (71 percent) reported that they did not call the E-Verify Technical Help Desk or the E-Verify Customer Service number; 69 percent did not have any need to call, and 2 percent either did not know which number to call or chose not to call (Table A-41). A few employers (3 percent) did not know the answer to this question. Of the 27 percent of respondents that called either of the numbers, 36 percent called the Customer Service number only, 20 percent called the Help Desk only, 15 percent called both numbers, and 30 percent were unsure which number they had called (Figure VI-5 and Table A-41).

**Figure VI-5. Among E-Verify users that ever tried calling the E-Verify Technical Help Desk or E-Verify Customer Service number, percent reporting the service that was called: 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.

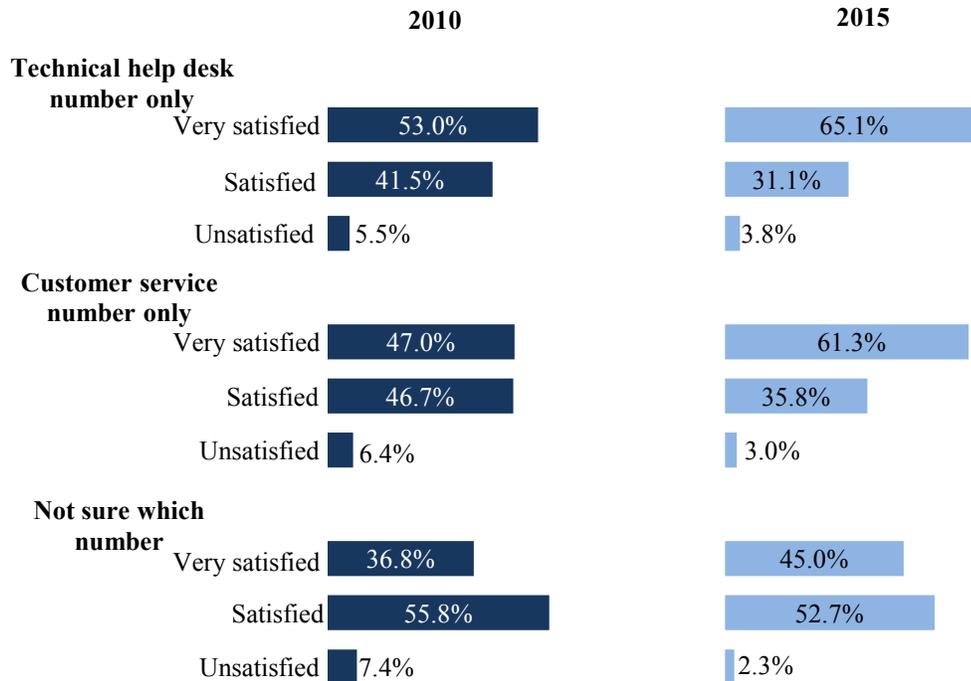
SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

In 2015, most E-Verify users reported that they did not require frequent assistance from the E-Verify Help Desk (97 percent; not shown in figures or tables). This could possibly be attributed to the depth or quality of training provided by USCIS to prepare employers to use E-Verify. When asked if USCIS usually provides adequate training when introducing new program features, most respondents agreed with this statement (89 percent), while some (11 percent) disagreed (not shown in figures or tables).

#### 4.2. Satisfaction With E-Verify Help Desk or Customer Service

Most E-Verify users that called the E-Verify Technical Help Desk or Customer Service number were satisfied with their experience in using these services, and the level of satisfaction was about the same for both services. For example, 96 percent of 2015 E-Verify respondents reported that they were either very satisfied (65 percent) or satisfied (31 percent) with their experiences in contacting the Help Desk (Figure VI-6 and Table A-42). Similarly, 97 percent of E-Verify users that called the Customer Service number were either very satisfied or satisfied with their experience, and 98 percent of those who were unsure about which number they called (i.e., Technical Help Desk or Customer Service) were also very satisfied or satisfied with the experience.

**Figure VI-6. Among E-Verify users that tried calling USCIS for the E-Verify Help Desk or Customer Service, percent reporting satisfaction with their experience: 2010 and 2015**



NOTE: Sum may not add to 100 percent because of rounding. Appendix table A-42 includes data for 2013.  
SOURCE: National Survey of E-Verify Employers: 2010, 2015.

Between 2010 and 2015, there were significant increases in the levels of user satisfaction with their experiences in contacting the E-Verify Technical Help Desk. The percent of E-Verify employers that reported being very satisfied with their experiences in contacting the E-Verify Technical Help Desk increased from 53 percent in 2010 to 65 percent in 2015. Similarly, the percentage that reported being very satisfied with their experience with the E-Verify Customer Service increased from 47 percent to 61 percent.

#### 4.3 Problems Experienced With E-Verify Help Desk or Customer Service

Among respondents that tried contacting the E-Verify Technical Help Desk or Customer Service, very few (about 3 percent) expressed dissatisfaction with any of the services. When asked whether they experienced various problems with the services, the most frequently cited problem in 2015 was that the individual they contacted was unable to answer the questions asked (77 percent)<sup>87</sup> (Table A-43). Fewer dissatisfied respondents (44 percent) indicated that they were unable to get through to a person, 27 percent reported being given information that conflicted with another source, and 25 percent indicated that they were referred to another source. Although small, 16 percent of the respondents were given information that turned out to be incorrect while very few reported that it was difficult for them to understand the answer provided by these services or that the Help Desk or Customer Service representative was rude or discourteous (5 and 4 percent, respectively).

<sup>87</sup> It should be noted that the statements represent opinions and they are not based on verified facts.

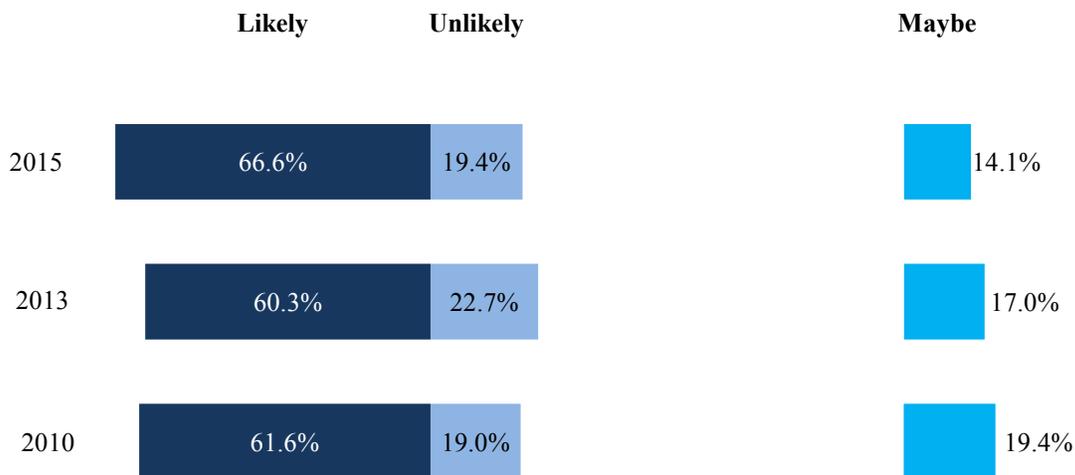
## 5. SATISFACTION AMONG MANDATED E-VERIFY USERS AND NONUSERS

While employers that use E-Verify voluntarily have the option of discontinuing its use at any time, those who are required by federal, state, or local mandates to use it do not have this choice as long as the mandate is in effect. To examine the choices these employers would make if E-Verify use was optional, the survey asked respondents how likely they would be to continue using E-Verify if they were not required to do so. If applicable, respondents also reported on reasons they would be likely or unlikely to continue using E-Verify.

### 5.1 Likelihood That Mandated Employers Would Use E-Verify If Not Required

About half (52 percent) of E-Verify users in 2015 indicated that they were currently required to use E-Verify, either due to having a federal contract requiring participation and/or doing business in a state or locality that requires participation. Among these mandated employers, the majority (67 percent) reported that they would be very likely or likely to continue using E-Verify, even if their company was no longer required to use it (Figure VI-7 and Table A-44).

**Figure VI-7. Among E-Verify users mandated to use E-Verify, percent reporting the likelihood of their company continuing to use it if no longer mandated: 2010, 2013, and 2015**



NOTE: Sum may not add to 100 percent because of rounding.

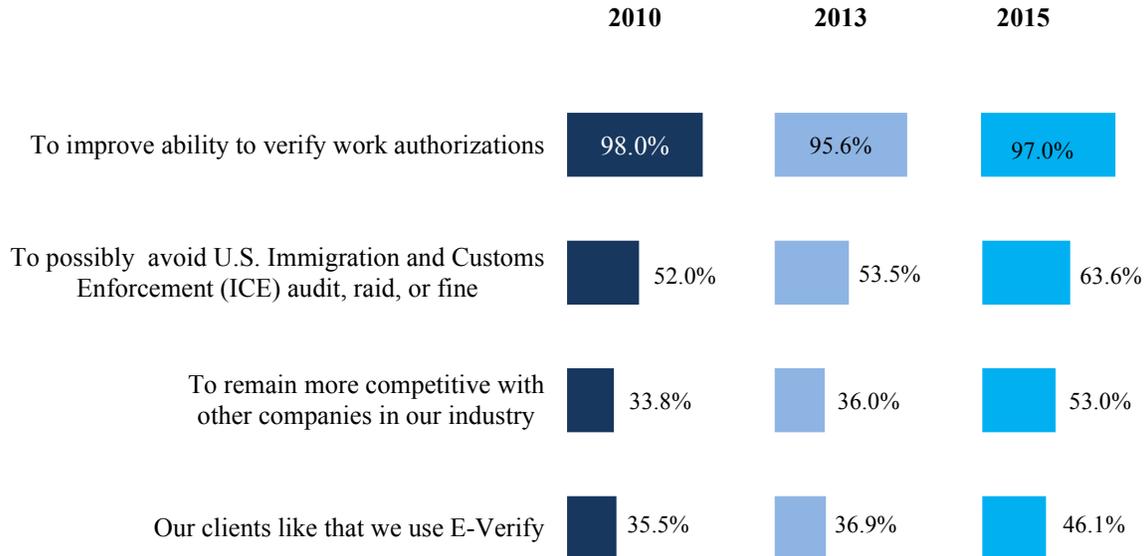
SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

*Reasons employers would be likely to continue using E-Verify.* Among the 67 percent of mandated E-Verify users in 2015 who reported that their companies were likely to continue using E-Verify even if it were not mandated, nearly all said they would do so to improve their ability to confirm work authorization status (97 percent) (Figure VI-8 and Table A-45). The second most frequently cited reason by respondents was to avoid a possible Immigration and Customs Enforcement (ICE) audit, raid, or fine (64 percent).<sup>88</sup> Half of mandated users in 2015 indicated that they would be likely to continue using E-Verify to remain more competitive with other companies in their industries (53 percent), while almost

<sup>88</sup> This finding reflects employers' perceptions that using E-Verify possibly avoids an ICE audit, raid, or fine, even though this is not the case.

half (46 percent) said they would continue using it because their clients liked that they used it or because using E-Verify will help them.

**Figure VI-8. Among mandated E-Verify users that reported being likely to continue using E-Verify, percent reporting their company's reasons for this position: 2010, 2013, and 2015**



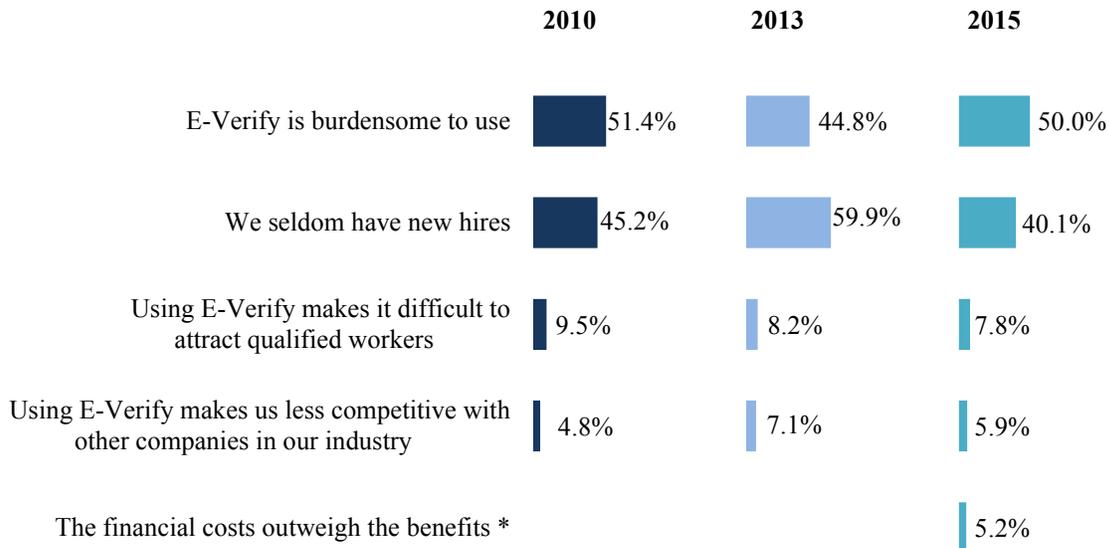
SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

There were some shifts in the frequency of reasons for continuing use of E-Verify cited by mandated E-Verify users in 2015 from responses in 2010. For example, 2015 mandated users were more likely than those in 2010 to indicate a preference to use E-Verify if no longer required in order to avoid an ICE audit, raid, or fine (64 percent versus 52 percent). Similarly, increases were reported for employers that cited reasons such as remaining more competitive with others in their industry (53 percent versus 34 percent) and having clients who liked that the company used E-Verify (46 percent versus 36 percent).<sup>89</sup>

*Reasons employers would be unlikely to continue using E-Verify.* Among the 19 percent of mandated 2015 users reporting that their companies were *unlikely* to continue using E-Verify if it were not mandated, the most frequently cited reason was that E-Verify was burdensome to use (50 percent), while 40 percent reported that their companies seldom had any new hires (Figure VI-9 and Table A-45). Few mandated E-Verify users in 2015 reported that they would not continue to use E-Verify because it was difficult to attract qualified workers (8 percent), it made them less competitive with other companies in their industry (6 percent), or the financial costs of using it outweighed the benefits (5 percent).

<sup>89</sup> It should be noted that the 2010 survey item included a “not applicable” response option while the 2013 and 2015 items included a “don’t know” response option.

**Figure VI-9. Among mandated E-Verify users that reported being unlikely to continue using E-Verify, percent reporting their company's reasons for this position: 2010, 2013, and 2015**



\* Question was not asked in 2010 and 2013.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

## 5.2 Reasons Nonusers and Prior Users Do Not Currently Use E-Verify

Employers that did not use E-Verify at the time of the survey were either prior users who have discontinued E-Verify use or those who signed up to use it but never did. Only 2 percent of the respondents in 2015 reported that their companies did not currently use E-Verify in 2015.

In 2015, the most frequently cited reasons for not using E-Verify were having no new hires in the past 6 months (39 percent) and deciding that it would be too burdensome to use it (38 percent) (Table VI-2 and Table A-46). Reasons less frequently reported by respondents for not using E-Verify were the person who originally wanted to use E-Verify had left the company (15 percent), the financial costs of using E-Verify outweighed the benefits of using it (10 percent), or because they decided that there was a better way to improve their verification process (6 percent).

**Table VI-2. Among employers not currently using E-Verify, percent reporting why their company was not using it: 2013 and 2015**

Reason	2013			2015		
	Yes	No	Don't know	Yes	No	Don't know
The person who originally wanted to use E-Verify has left the company	6.4	82.3	11.3	14.9	81.2	3.9
We decided it would be too burdensome to use the system	14.6	67.2	18.2	37.6	53.8	8.6
We decided that there was a better way to improve our verification process	4.7	75.0	20.2	5.5	81.4	13.1
We have had no new hires in the past 6 months	62.1	34.2	3.7	38.5	56.4	5.2
The financial costs of using E-Verify outweigh the benefits of using it	NA	NA	NA	10.0	79.7	10.3

NA= Not available; question was not asked in 2013. Appendix table A-40 includes data for 2010.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2013, 2015.

## 6. EMPLOYER RECOMMENDATIONS REGARDING E-VERIFY

Employers were asked their opinions about potential changes to E-Verify that have been discussed by policymakers over the past few years, many of which would require legislative action. As in previous years, respondents to the 2015 survey reported whether they supported, opposed, or had no opinion about various potential changes to E-Verify including the expansion of E-Verify to include additional types of workers and companies, improving employers' ability to confirm worker identity, and other types of changes such as eliminating the paper Form I-9 and instituting a formal appeal process for final case results.

As shown in Tables VI-3 and VI-4, many of these potential changes have been consistently supported by E-Verify users since 2010 (Table A-47).

### 6.1 Expanding E-Verify

As in previous iterations of the study, the 2015 survey asked employers whether they support or oppose various potential changes for expanding E-Verify by allowing all companies to verify job applicants and requiring all companies in the United States to use E-Verify. In 2015, respondents were also asked about allowing employers that are not federal contractors to verify existing employees, but this item was not comparable to previous years because of wording changes.

E-Verify rules do not permit employers to confirm the employment authorization of workers until after a job offer is made and accepted; thus, processing a job applicant's Form I-9 information through E-Verify prior to this is considered prescreening. When asked for their opinion about allowing prescreening, 70 percent of 2015 E-Verify users indicated support for this change, 7 percent opposed it, and 23 percent reported having no opinion on the change. The percent of 2015 E-Verify users who supported this potential change increased considerably from 2010 when 55 percent of users indicated support for it (Table VI-3 and Table A-47), indicating employers' growing interest in this change which would require legislative action.

**Table VI-3. Percent of E-Verify users reporting their opinion on recommendations for expanding E-Verify: 2010, 2013, and 2015**

Recommendation	2010	2013	2015
<b>Requiring all companies in the United States to use E-Verify</b>			
Support	65.6	63.1	71.3
Oppose	14.7	14.4	8.4
No opinion	19.7	22.4	20.3
<b>Allowing all companies to verify job applicants</b>			
Support	54.9	66.9	70.4
Oppose	20.3	10.6	6.6
No opinion	24.7	22.5	23.0
<b>Allowing employers that are not federal contractors to verify existing employees</b>			
Support	NA	NA	53.0
Oppose	NA	NA	6.5
No opinion	NA	NA	40.5

NA= Not applicable; question was not asked in 2010 and 2013.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

Under the FAR clause, federal contractors have the option to verify all existing employees. When asked about extending this option to all employers regardless of contractual requirements, 53 percent of 2015 E-Verify users supported this potential change. Forty-one percent of the employers offered no opinion while only 7 percent opposed this change.<sup>90</sup> This recommendation also would require Congressional action.

When asked about making E-Verify use universal by requiring all U.S. companies to use it, 71 percent of the 2015 E-Verify users were in support of this potential change, 8 percent opposed it, and 20 percent offered no opinion. The percent of employers indicating support for the universal mandatory use of E-Verify in 2015 represents a significant increase from both 2010 and 2013 when 66 and 63 percent of employers, respectively, expressed this support.

## 6.2 Changing Other Aspects of the E-Verify Process

E-Verify users were asked about other potential changes to the E-Verify process, such as improving employers' ability to confirm worker identity, eliminating the paper Form I-9<sup>91</sup> and adding a formal appeal process that employers or their employees could use if they disagree with the final case finding.<sup>92</sup> (This question, as asked, did not specify whether the worker would be allowed to work during the appeal process.)

Employers' ability to confirm worker identity during the verification process is an important factor in the extent to which E-Verify could be used effectively and accurately to determine employment eligibility.

<sup>90</sup> The 2015 item is not comparable to previous iterations of the survey because of changes in question wording.

<sup>91</sup> Eliminating the paper Form I-9 could help reduce data entry errors introduced by workers who have illegible handwriting.

<sup>92</sup> Although not a formal appeal process, it is possible for employers or workers to request reconsideration of USCIS FNC findings. If the senior immigration officers who review these cases determine that the worker was, in fact employment authorized following issuance of an FNC, an Employee Status Update Letter (ESUL) is issued which informs the employer of this determination. USCIS and SSA are currently planning to implement a formal appeal process.

The surveys asked employers about potential changes to improve their ability to confirm worker identity by including the ability to take and verify fingerprints and increasing the types of documents that can be used in Photo Matching.

As shown in Table VI-4 and Table A-47, half of the employers were in favor of increasing the types of documents that can be used in Photo Matching.<sup>93</sup> This percentage has remained fairly consistent since the 2010 survey. Only 14 percent were opposed to such expansion and the remaining employers had no opinion. About one-fourth of the respondents from the 2015 survey expressed support for including the ability to take and verify fingerprints through E-Verify, and this percentage has also remained consistent since 2010. Approximately 44 percent of employers opposed this change.

**Table VI-4. Percent of E-Verify users reporting on recommendations for other changes to E-Verify: 2010, 2013, and 2015**

Recommendation	2010	2013	2015
<b>Eliminating the paper Form I-9</b>			
Support	46.9	50.0	45.3
Oppose	32.9	27.1	34.8
No opinion	20.1	23.0	19.9
<b>Including the ability to take and verify fingerprints</b>			
Support	24.6	24.1	25.1
Oppose	46.2	42.3	43.9
No opinion	29.3	33.6	31.0
<b>Increasing the types of documents that can be used with Photo Matching</b>			
Support	45.9	52.2	50.0
Oppose	10.4	12.6	13.7
No opinion	43.7	35.3	36.3
<b>Adding a formal appeal process that employers or their employees could use if they disagree with the final case finding</b>			
Support	48.8	47.2	47.4
Oppose	10.3	7.9	7.5
No opinion	41.0	44.9	45.1

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, 2015.

In 2015, almost half (47 percent) of E-Verify users indicated support for adding a formal appeal process to E-Verify that employers or their employees could use if they disagree with FNC case findings. Only 8 percent of the employers opposed this potential change while 45 percent did not express an opinion. In addition, while 45 percent of E-Verify employers support the elimination of the paper Form I-9, about one-third opposed it, and 20 percent did not have an opinion about this potential change. The percent of E-Verify users supporting these potential changes have remained fairly consistent since 2010.

<sup>93</sup> The documents available for Photo Matching in FY 2015 were the Permanent Resident Cards (“green cards”), Employment Authorization Documents (EADs), and U.S. passports or passport cards.

### 6.3 Additional Recommendations From Open-ended Survey Item

Survey respondents were given the opportunity to provide additional comments or suggestions for improvements to E-Verify. These open-ended responses were coded and frequently mentioned suggestions are summarized below.

Unlike previous iterations of the survey, the open-ended question appeared before the closed-ended item that asked respondents to consider potential changes to E-Verify and offer an opinion. Despite this reversed ordering of the survey items, employers used this opportunity to suggest many of the potential changes listed in the closed-ended items already discussed in Section 6. The most frequently cited suggestions were to increase the type of documents that can be used in Photo Matching and allowing more than three days to confirm work authorization. Other common suggestions were:

- Modifying the format for entering dates into E-Verify by allowing users to manually enter in dates instead of using the drop-down menu or by entering the month numerically instead of spelling it;
- Allowing more opportunities to correct data entry errors in E-Verify such as allowing the ability to go back in the system when filling out the information and being able to edit cases instead of resubmitting them;
- Additional training or examples for complex, long, or hyphenated names;
- Allowing employees more time to correct paperwork and other issues resulting in TNCs; and
- Simplifying password procedures by making the password requirements less restrictive and not requiring users to change passwords as frequently.

It should be noted that some changes may not be possible or desirable. For example, password requirements are mandated for all federal systems, including E-Verify, and cannot be simplified or modified to require less frequent updates without changes to policies for all federal systems.

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## CHAPTER VII. DIFFERENCES IN SELECTED INDICATORS BY EMPLOYER CHARACTERISTICS

The characteristics of E-Verify subpopulations may predispose those groups towards having specific types of experiences and opinions about E-Verify. For example, employers that are required by federal, state, or local mandates to use E-Verify may be more motivated than voluntary users to comply with E-Verify rules because of these legal requirements. Small companies may have fewer resources to meet case submission deadlines but they may also have fewer new hires to verify. In addition, companies in industries with traditionally high percentages of undocumented workers may find E-Verify more burdensome than companies in other types of industries because of the greater likelihood of workers receiving Tentative Nonconfirmation (TNC) findings.

This chapter takes a closer look at subgroup differences for selected indicators examined in the preceding chapters, including:

- Employer experiences and perceptions related to the extent to E-Verify is reducing unauthorized employment and verification-related discrimination examined in Chapter IV;
- Employer compliance with E-Verify rules examined in Chapter V; and
- Employer burden and satisfaction with E-Verify resources examined in Chapter VI.

This chapter examines 2015 survey data to provide insights on how employer perceptions and experiences relevant to these topics differ by three company characteristics:

- *Mandated status*: Whether employers were required by federal, state, or local mandates to use E-Verify.
- *Industry type*: Whether companies are employment agencies, in industries with historically high percentages of undocumented workers (referred to as high-risk industries), or in other types of industries.
- *Company size*: Whether companies are small, medium-sized, or large.<sup>94</sup>

It is important to note that the company characteristics used for independent analyses may be related to each other. For example, company size is related to industry type with employment agencies and companies in high-risk industries being smaller than companies in other types of industries. However, no attempt has been made to parse out these independent associations.

### 1. DIFFERENCES BY MANDATORY STATUS

The 2015 survey data provided limited support for the expectation that mandated users will differ from voluntary users in their perceptions of E-Verify and the extent to which they adhere to E-Verify rules. Table VII-1 includes only a few significant differences by mandated status.

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<sup>94</sup> For the survey data analyses, small companies were defined as having 1 to 19 workers, medium-sized companies had 20 to 99 workers, and large companies had 100 or more workers.

*Overall perceptions of E-Verify.* While both mandated and voluntary E-Verify users expressed highly positive overall assessment of E-Verify, those with federal, state, or local requirements were less likely than voluntary users to agree that E-Verify was highly accurate (94 percent versus 98 percent) and that it is an effective tool for employment verification (94 percent versus 99 percent).

**Table VII-1. Percent of E-Verify users reporting on selected indicators of E-Verify perceptions and practices, by mandated status: 2015<sup>1</sup>**

Indicator	Required to use E-Verify	Not Required to use E-Verify
E-Verify users: E-Verify is highly accurate. <b>Agree or strongly agree.</b>	94.3 <sup>b</sup>	97.8 <sup>a</sup>
E-Verify users: E-Verify is an effective tool for employment verification. <b>Agree or strongly agree.</b>	94.2 <sup>b</sup>	98.8 <sup>a</sup>
E-Verify users: Employers reporting difficulty in meeting the E-Verify deadline for submitting cases within 3 days of hire: <b>Would like to have one week for this submission</b>	27.5 <sup>b</sup>	19.5 <sup>a</sup>
E-Verify users with workers receiving Tentative Nonconfirmation: Employers using the Further Action Notice: <b>Provide worker with Referral Date Confirmation</b>	94.2 <sup>b</sup>	98.8 <sup>a</sup>

<sup>1</sup> Within each line, statistically significant comparisons are indicated by a letter in a superscript. An ‘a’ indicates that the percentage is significantly different from companies that are mandated to use E-Verify at the .05 level. A ‘b’ indicates that the percentage is significantly different from high-risk companies at the .05 level. The questions in Table VII-1 were asked of E-Verify users in 2015, unless otherwise noted, and the reported percentages reflect these populations. Percentages were calculated separately within employment agencies, within high-risk industries, and within other industries.

SOURCE: National Survey of E-Verify Employers: 2015.

*Burden associated with E-Verify use.* While there was no significant difference in the percentage of mandatory and voluntary E-Verify users that reported difficulty in adhering to the three-day rule, mandatory users were more likely than voluntary users to report that they would prefer one week to submit cases to E-Verify (28 percent versus 20 percent).

*Adhering to E-Verify rules.* Among employers that use the Further Action Notice (FAN) to process Tentative Nonconfirmation findings for workers, mandated users were more likely to provide workers with the Referral Date Confirmation when compared with nonmandated users (94 percent versus 99 percent).

There were no other significant differences between mandatory and voluntary users for indicators that reflect noncompliance or satisfaction with E-Verify, including prescreening of potential workers prior to the acceptance of a job offer, informing workers of TNCs in private, and satisfaction with key features and resources. These findings suggest that employers may not differ in these key areas in the event of universal implementation of E-Verify.

## 2. DIFFERENCES BY INDUSTRY TYPE

Employment agencies and companies in industries with historically high percentages of undocumented workers may have less favorable experiences and perceptions of E-Verify when compared with companies in other types of industries. Employment agencies handle disproportionately large numbers of cases while companies in high risk industries have increased risk for cases that result in TNC findings. Thus, these groups may find it more burdensome than other companies to meet requirements for case submission and undertake additional steps in confirming employment eligibility.

The 2015 survey data presented in Tables VII-2 and VII-3 provide considerable support for the expectation that companies in high-risk industries would differ from companies in other industries in their perceptions and experiences related to:

- The extent to which E-Verify is reducing unauthorized employment and avoiding verification-related discrimination; and
- The extent to which E-Verify minimizes employer burden and increases satisfaction.

There is also some support for differences between employment agencies and companies in other types of industries in these key areas.

### **2.1. Reducing Unauthorized Employment and Verification-Related Discrimination by Industry Type**

Table VII-2 includes only significant differences by industry type in employer experiences and perception. The data show mixed results for indicators that suggest E-Verify is reducing unauthorized employment.

- Compared with companies in other types of industries, those in high-risk industries were more likely to agree that the number of unauthorized job applicants decreased because E-Verify was used (31 percent versus 14 percent). However, among employers with workers receiving TNCs, those in high-risk industries were less likely to report worker actions that suggest they may be unauthorized to work; that is, workers do not always, often, or sometimes return to work when the TNC is received (15 percent versus 36 percent) and workers always, often, or sometimes quit before the employer has a chance to tell them about the finding (37 percent versus 67 percent).
- Similar differences were observed for employment agencies. Compared to employers in other types of industries, employment agencies were more likely to agree that their use of E-Verify reduced the number of unauthorized job applicants (39 percent versus 14 percent). However, employment agencies with workers receiving TNCs were less likely to agree that the workers do not always, often, or sometimes return to work after receiving the finding (25 percent versus 36 percent) and workers always, often, or sometimes quit before the employer has a chance to tell them about the finding (35 percent versus 67 percent).

Employers in high-risk industries were less likely to report violating E-Verify rules by taking adverse action against workers with TNCs. Among employers with workers receiving TNCs, those in high-risk industries were less likely to delay training until work authorization is confirmed (15 percent versus 33 percent) and they were more likely to report that they never fired workers with TNCs without telling them about the finding (96 percent versus 86 percent). These findings could reflect the underreporting of compliance by high-risk companies, or conversely, heightened awareness and sensitivity to workers' rights.

**Table VII-2. Percent of E-Verify users reporting on selected indicators of the extent to which E-Verify use reduces unauthorized employment and verification-related discrimination, by type of industry: 2015<sup>1</sup>**

Indicator	Employment agencies	Companies in high-risk industries	Other companies
E-Verify users: The number of unauthorized persons who applied for jobs decreased because E-Verify was used. <b>Agree or strongly agree.</b>	39.0 <sup>b,c</sup>	31.2 <sup>a,c</sup>	14.2 <sup>a,b</sup>
<b>E-Verify users with workers receiving a Tentative Nonconfirmation (TNC)</b>			
Employees do not return to work when a Tentative Nonconfirmation is received. <b>Sometimes, often, always.</b>	24.7 <sup>b,c</sup>	14.8 <sup>a,c</sup>	36.0 <sup>a,b</sup>
Employees quit before we have a chance to tell them about the finding. <b>Sometimes, often, always.</b>	34.9 <sup>c</sup>	37.0 <sup>c</sup>	66.6 <sup>a,b</sup>
Training is delayed until after work authorization is confirmed. <b>Agree or strongly agree.</b>	22.9 <sup>b</sup>	15.0 <sup>a,c</sup>	32.7 <sup>b</sup>
We decide to fire employees receiving Tentative Nonconfirmations without telling them about the finding. <b>Never</b>	90.9	95.5 <sup>c</sup>	85.6 <sup>b</sup>

<sup>1</sup> Within each line, statistically significant comparisons are indicated by a letter in a superscript. An ‘a’ indicates that the percentage is significantly different from employment agencies at the .05 level. A ‘b’ indicates that the percentage is significantly different from high-risk companies at the .05 level. A ‘c’ indicates that the percentage is significantly different from companies in other industries at the .05 level. The questions in Table VII-2 were asked of E-Verify users in 2015, unless otherwise noted, and the reported percentages reflect these populations. Percentages were calculated separately within employment agencies, within high-risk industries, and within other industries.

<sup>2</sup> This question was asked of E-Verify users that had received any TNCs.

SOURCE: National Survey of E-Verify Employers: 2015.

## 2.2. Employer Burden and Satisfaction With E-Verify by Industry Type

Table VII-3 presents data on several indicators of the burden associated with E-Verify and employer satisfaction with its use. It includes only significant differences by type of industry.

*Employer overall assessment of E-Verify.* Although employers in both high-risk industries and other types of industries held highly positive views about the accuracy and effectiveness of E-Verify, those in high-risk industries were less likely to agree that it is highly accurate (94 percent versus 97 percent) or an effective tool for employment verification (95 percent versus 96 percent).

**Table VII-3. Percent of E-Verify users reporting on selected indicators of E-Verify and employment practices, by type of industry: 2015<sup>1</sup>**

Indicator	Employment agencies	Companies in high-risk industries	Other companies
We believe E-Verify is highly accurate. <b>Agree or strongly agree.</b>	96.1	93.5 <sup>c</sup>	97.3 <sup>b</sup>
Overall, E-Verify is an effective tool for employment verification. <b>Agree or strongly agree.</b>	98.5 <sup>b,c</sup>	95.0 <sup>a</sup>	96.3 <sup>a</sup>
The online enrollment process was too time-consuming. <b>Agree or strongly agree.</b>	24.4	27.6 <sup>c</sup>	20.2 <sup>b</sup>
The tutorial takes too long to complete. <b>Agree or strongly agree.</b>	33.9	36.8 <sup>c</sup>	30.5 <sup>b</sup>
Situation that presents the most difficulty in meeting 3-day deadline. <b>Having too many new hires.</b>	40.7 <sup>b,c</sup>	16.8 <sup>a</sup>	13.3 <sup>a</sup>
It is easy to make errors when entering employee information into the E-Verify system. <b>Agree or strongly agree.</b>	35.7 <sup>c</sup>	32.1 <sup>c</sup>	20.0 <sup>a, b</sup>
We are sometimes unsure about how to enter certain types of names. <b>Agree or strongly agree.</b>	49.8 <sup>b, c</sup>	42.7 <sup>a, c</sup>	34.8 <sup>a, b</sup>
E-Verify is not always available because our internet system is unreliable. <b>Agree or strongly agree.</b>	9.0 <sup>b</sup>	15.2 <sup>a, c</sup>	9.4 <sup>b</sup>
If your company were no longer required to use E-Verify, how likely is it that you would continue to use it? <b>Very likely or likely.</b>	70.6 <sup>b</sup>	56.8 <sup>a, c</sup>	70.6 <sup>b</sup>
System timeouts require us to re-enter information previously entered. <b>Agree or strongly agree.</b>	31.8 <sup>b, c</sup>	21.1 <sup>a</sup>	21.6 <sup>a</sup>
The online E-Verify User Manual was <b>very helpful or helpful.</b>	68.8 <sup>b, c</sup>	59.5 <sup>a</sup>	54.2 <sup>a</sup>
The online webinars were <b>very helpful or helpful.</b>	43.3 <sup>b, c</sup>	27.9 <sup>a</sup>	26.8 <sup>a</sup>
The E-Verify Quick Reference Guide was <b>very helpful or helpful.</b>	65.7 <sup>b, c</sup>	55.9 <sup>a</sup>	49.6 <sup>a</sup>
The E-Verify Self-Assessment Guide was <b>very helpful or helpful.</b>	50.7 <sup>b, c</sup>	41.0 <sup>a</sup>	38.1 <sup>a</sup>
Mouse-over features on data entry fields were <b>very helpful or helpful.</b>	77.4 <sup>b, c</sup>	67.3 <sup>a</sup>	68.4 <sup>a</sup>
The reports to monitor the status of employee cases were <b>very helpful or helpful.</b>	77.1 <sup>b, c</sup>	61.9 <sup>a</sup>	61.0 <sup>a</sup>
The reports to monitor the company's use of the system were <b>very helpful or helpful.</b>	52.4 <sup>b, c</sup>	39.3 <sup>a</sup>	40.4 <sup>a</sup>
Company mandated to use E-Verify: <b>Very likely or likely to use E-Verify if no longer required to do so.</b>	70.6 <sup>b</sup>	56.8 <sup>a, c</sup>	70.6 <sup>b</sup>

<sup>1</sup> Within each line, statistically significant comparisons are indicated by a letter in a superscript. An 'a' indicates that the percentage is significantly different from employment agencies at the .05 level. A 'b' indicates that the percentage is significantly different from high-risk companies at the .05 level. A 'c' indicates that the percentage is significantly different from companies in other industries at the .05 level. The questions in Table VII-3 were asked of E-Verify users in 2015, unless otherwise noted, and the reported percentages reflect these populations. Percentages were calculated separately within employment agencies, within high-risk industries, and within other industries.

<sup>2</sup> This question was asked of E-Verify users that had received any TNCs.

SOURCE: National Survey of E-Verify Employers: 2015.

*Employer experiences with using E-Verify.* Consistent with expectations, employers in high-risk industries were more likely than employers in other types of industries to report burdens associated with E-Verify use. For example, those in high-risk industries were more likely to report that:

- The enrollment process was too time-consuming (28 percent versus 20 percent);
- The online tutorial took too long (37 percent versus 31 percent);
- It is easy to make errors when entering employee information into the E-Verify system (32 percent versus 20 percent);
- They were sometimes unsure about how to enter certain types of names (43 percent versus 35 percent); and
- E-Verify was not always available because the company's Internet system was unreliable (15 percent versus 9 percent).

Among mandated users, companies in high-risk industries reported they would be less likely to continue using E-Verify if they were no longer required to do so (57 percent versus 71 percent). This finding is consistent with the expectation that mandated users may be more likely than voluntary users to view E-Verify use as a burden to the company.

Employment agencies were more likely than companies in other types of industries to report problems with accessing E-Verify because of E-Verify system time-outs which required reentering worker information (32 percent versus 22 percent), and with being sometimes unsure about how to enter certain types of names (50 percent versus 35 percent). Due to the high number of new hires employment agencies must verify, they might encounter these problems more frequently than other types of employers.

*Helpfulness with E-Verify resources.* Employers in high-risk industries did not differ from those in other types of industries in the extent to which they were satisfied with E-Verify resources. However, with one exception, employment agencies were more likely than companies in other types of industries to report that various E-Verify online resources were helpful. For example, they were more likely to report that the E-Verify user manual was helpful (69 percent versus 54 percent) and the online webinars were helpful (43 percent versus 27 percent). Similar differences were observed for the E-Verify Quick Reference Guide, the E-Verify Self-Assessment Tool, mouse-over features, and E-Verify reports to monitor the status of worker cases and the company's use of the E-Verify. These resources may be consulted more often and viewed more favorably by employment agencies that are required to process a higher percent of new hires.

### 3. DIFFERENCES BY COMPANY SIZE

This section examines differences in employer perceptions and experiences between small companies and medium-sized or large companies. The 2015 survey data provided support for the expectation that small companies differ from larger companies in their perceptions and experiences related to the following:

- The extent to which E-Verify is reducing unauthorized employment;
- Adverse actions against workers with TNCs;

- Employer compliance with rules for verifying new hires; and
- Burden and employer satisfaction with E-Verify.

Table VII-4 includes only significant differences in employer experiences and perceptions in indicators by company size.

*Unauthorized employment.* Compared to medium-sized and large companies, small companies were less likely to agree that the number of unauthorized job applicants decreased because E-Verify was used (14 percent versus 21 percent, respectively).

*Adverse action against workers with TNCs.* Among companies with workers receiving TNCs, small companies were more likely than medium-sized and large companies to take adverse action against workers by restricting work assignments (53 percent versus 27 and 25 percent, respectively) and delaying training (48 percent versus 22 and 21 percent, respectively) until work authorization was confirmed.

*E-Verify rules for verifying new hires.* Small companies were more likely than larger companies to violate E-Verify rules for verifying new hires. Specifically:

- Small companies were less likely than medium sized and large companies to verify all new hires (93 percent versus 99 and 98 percent, respectively).
- They were also more likely than large companies to prescreen new hires by verifying them before a job offer was made and accepted (11 percent versus 6 percent).
- They were less likely than large companies to meet the three-day rule for submitting cases to E-Verify (80 percent versus 90 percent).
- They were less likely than large companies to always submit email addresses that workers provide (43 percent versus 29 percent).

Small companies, which have more limited human resources, may be less aware of these E-Verify requirements or more motivated to ignore them than larger companies.<sup>95</sup>

*Burden and satisfaction with E-Verify.* Not surprising, small companies reported lower levels of satisfaction and greater burden with E-Verify when compared with larger companies.

- Small companies were more likely than large companies to agree that the enrollment process was too time-consuming (28 percent versus 18 percent) and the tutorial took too long to complete (39 percent versus 25 percent). They were also more likely than medium-sized and large companies to agree that it is a burden to pass the tutorial knowledge test (41 percent versus 25 percent and 17 percent, respectively).
- Small companies were also less likely than large companies to agree that it was easy to make errors when entering information in the E-Verify system (18 percent versus 31 percent) and they were less likely to be unsure about how to enter certain types of names (33 percent versus 48 percent).

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<sup>95</sup>The 2015 survey data showed that the likelihood of having only one person with this responsibility differed by company size, with smaller companies being more likely to have only one staff member with this responsibility.

- Small companies were less likely than large companies to believe that the online manual was helpful (48 percent versus 65 percent) and the online report to monitor the status of worker cases was helpful (58 percent versus 70 percent). They were more likely to agree that the E-Verify system was not always available because the company's Internet system was down (15 percent versus 9 percent: not shown in table).

**Table VII-4. Percent of E-Verify users reporting on selected indicators of E-Verify and employment practices, by company size: 2015<sup>1</sup>**

Indicator	Small	Medium-sized	Large
The number of unauthorized persons who applied for jobs decreased because E-Verify was used. <b>Agree or strongly agree.</b>	13.6 <sup>b,c</sup>	21.2 <sup>a</sup>	21.3 <sup>a</sup>
Related to a TNC received: work assignments must be restricted until work authorization is confirmed. <b>Agree or strongly agree.</b>	53.1 <sup>b,c</sup>	27.0 <sup>a</sup>	24.9 <sup>a</sup>
Related to a TNC received: training is delayed until after work authorization is confirmed. <b>Agree or strongly agree.</b>	48.4 <sup>b,c</sup>	22.1 <sup>a</sup>	20.5 <sup>a</sup>
Company verifies work authorization using E-Verify for <b>all new hires.</b>	93.2 <sup>b,c</sup>	98.9 <sup>a</sup>	98.3 <sup>a</sup>
E-Verify is typically used to confirm work authorization: <b>Before a job offer is made</b>	11.4 <sup>c</sup>	8.9	5.8 <sup>a</sup>
E-Verify is typically used to confirm work authorization: <b>Within three days of hire</b>	80.2 <sup>c</sup>	83.0 <sup>c</sup>	90.1 <sup>a,b</sup>
If worker provides their email addresses on the Form I-9, company submits that information to the E-Verify system when creating a case for the worker. <b>Always</b>	43.3 <sup>c</sup>	34.0	28.5 <sup>a</sup>
The online enrollment process was too time-consuming. <b>Agree or strongly agree.</b>	27.6 <sup>c</sup>	21.2	17.9 <sup>a</sup>
The tutorial takes too long to complete. <b>Agree or strongly agree.</b>	39.3 <sup>c</sup>	31.8	24.8 <sup>a</sup>
It is a burden to have to pass the tutorial knowledge test before being allowed to use the online verification system. <b>Agree or strongly agree.</b>	41.4 <sup>b,c</sup>	24.7 <sup>a,c</sup>	16.8 <sup>a,b</sup>
It is easy to make errors when entering employee information into the E-Verify system. <b>Agree or strongly agree.</b>	17.5 <sup>c</sup>	23.2 <sup>c</sup>	30.8 <sup>a,b</sup>
We are sometimes unsure about how to enter certain types of names. <b>Agree or strongly agree.</b>	33.3 <sup>c</sup>	33.8 <sup>c</sup>	47.6 <sup>a,b</sup>
The online E-Verify User Manual was <b>very helpful or helpful.</b>	47.7 <sup>c</sup>	55.8	65.0 <sup>a</sup>
The reports to monitor the status of employee cases were <b>very helpful or helpful.</b>	58.1 <sup>c</sup>	59.1 <sup>c</sup>	69.6 <sup>a,b</sup>

<sup>1</sup> Within each line, statistically significant comparisons are indicated by a letter in a superscript. An 'a' indicates that the percentage is significantly different from small companies at the .05 level. A 'b' indicates that the percentage is significantly different from medium-sized companies at the .05 level. A 'c' indicates that the percentage is significantly different from large companies at the .05 level. The questions in Table VII-4 were asked of E-Verify users in 2015, unless otherwise noted, and the reported percentages reflect these populations. Percentages were calculated separately within small companies, within medium-sized companies, and within large companies.

SOURCE: National Survey of E-Verify Employers: 2015.

## CHAPTER VIII. FINDINGS AND RECOMMENDATIONS

This chapter presents key findings and related recommendations for changes to E-Verify based on the 2015 user survey results. Some of the recommendations were also presented in previous reports or evaluations. The chapter is organized on the basis of the four broad E-Verify goals:

- Reduce the employment of individuals unauthorized to work;
- Prevent undue burden on employers;
- Safeguard workers from verification-related discrimination; and
- Protect privacy and workers' civil liberties.

In discussing these goals, it is important to recognize that changes in E-Verify designed to increase its ability to meet one goal may decrease its ability to meet another goal. For example, some E-Verify provisions designed to protect workers' rights and/or avoid discrimination may create burdens for employers or limit the ability of E-Verify to reduce unauthorized employment.

Some of the recommendations in this chapter are for initiatives that can be implemented easily and with little cost to federal agencies. Other recommendations would be more difficult and/or more expensive to implement (e.g., recommendations that require regulatory or even statutory changes to implement). Although the evaluation team has tried to form recommendations for cost-effective ways to improve E-Verify's ability to meet its goals, a complete analysis of how the recommendations should be implemented and/or potential implementation challenges is beyond the scope of this study. The evaluation team is also not in a position to make value judgments about the relative importance of meeting the goals when potential changes might make E-Verify more effective in meeting one goal and less effective in meeting another goal.

The final section of the chapter makes recommendations for future research to assist in further improving E-Verify.

### **1. REDUCING THE EMPLOYMENT OF INDIVIDUALS UNAUTHORIZED TO WORK**

#### **1.1. Introduction**

The effectiveness of E-Verify in reducing employment of individuals unauthorized to work is dependent upon the following factors:

- How E-Verify use has expanded (i.e., increase in number of cases transmitted);
- How effective it is in detecting unauthorized workers;<sup>96</sup> and
- How long unauthorized workers of E-Verify employers are permitted to work.

Each of these factors is discussed in this section.

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<sup>96</sup>See *Evaluation of the Accuracy of E-Verify Findings*, forthcoming in summer 2016. Rockville, MD: Westat (referred to as the 2016 accuracy report) for additional information related to E-Verify accuracy in detecting unauthorized workers.

## 1.2. Findings

### 1.2.1. How Easy It Is for Workers to Avoid Employers Using E-Verify

**The use of E-Verify has expanded significantly over time, making it more difficult for unauthorized workers to avoid being verified.** In January through March 2015, there were 6,594,747 cases transmitted to E-Verify compared to 983,743 in October through December 2007.<sup>97</sup>

**However, some employers reported that unauthorized workers apparently avoid detection by not applying to employers that use E-Verify.** In 2015, 19 percent of current E-Verify employers agreed that the number of unauthorized workers who applied for jobs decreased because E-Verify was used; however, almost half (48 percent) disagreed with this statement. The remaining employers did not express an opinion.

**A mandate for all employers to use E-Verify, which would lead to a significant increase in E-Verify usage, would be supported by most current E-Verify users.** When asked about making E-Verify use universal by requiring all U.S. companies to use it, 71 percent of the 2015 E-Verify users were in support of this potential change compared to 8 percent that opposed it.

**In addition to continuing to expand the number of employers using E-Verify, it would be possible to subject more workers to verification by permitting all employers to use E-Verify for their existing workers,<sup>98</sup> a modification of existing legislation that is favored by most E-Verify employers.** When asked about extending this option to all employers regardless of contractual requirements, the majority of respondents (53 percent) supported this potential change and only 7 percent opposed it. The remaining employers offered no opinion.

### 1.2.2. E-Verify Effectiveness in Detecting Unauthorized Workers

**Most employers that had workers who received TNCs reported that this resulted in workers quitting either with or without informing employers that they do not wish to contest the TNCs.** In 2015, 62 percent of the 19 percent of employers that had workers with TNC findings that were not the result of data entry errors reported that the workers at least sometimes do not return to work when they receive a TNC. About one-third (33 percent) reported that they at least sometimes have workers who decide to quit rather than contest a TNC finding. It is likely that these employee actions indicate that the workers are not authorized to work.

**Some employers fail to follow the E-Verify Photo Matching procedures designed to detect identity fraud.** Although 78 percent of respondents reported that they *always* adhered to the requirement of comparing the photograph returned by Photo Matching in the E-Verify process to Form I-9 document provided by the worker, 21 percent reported complying with this requirement often or sometimes, while 1 percent never did so. Additionally, 70 percent of employers reported always comparing the picture on the document the worker provided to the person, a violation of E-Verify requirements. This finding may indicate employer confusion with Form I-9 process in which they are required to compare the picture on the document the worker provides to the face of the worker.

**When asked about possible expansions of checks of worker identity in E-Verify, employers were much more likely to favor increasing the types of documents subject to Photo Matching than they**

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<sup>97</sup> The 2016 accuracy study estimated that approximately 46 percent of new hires in the nation were verified using E-Verify in FY 2014.

<sup>98</sup> Currently, only federal contractors with FAR clause have the option to verify all existing employees.

**were to favor use of fingerprinting.** Half of the employers were in favor of increasing the types of documents that can be used in Photo Matching, while 14 percent were opposed to such expansion. About one-fourth of the respondents from the 2015 survey expressed support for including the ability to take and verify fingerprints through E-Verify, while approximately 44 percent of employers opposed this change.

### 1.2.3. How Long Unauthorized Workers of E-Verify Employers are Permitted to Work

**Most current E-Verify employers reported adhering to E-Verify procedures requiring verification of new hires within three days of hire.** Over time, there was a decline in employer compliance with the three-day rule, with 92 percent of the employers using E-Verify within three days of hire in 2008 compared to 84 percent in 2015.

**Most employers supported allowing prescreening, a practice that would reduce the amount of time that unauthorized workers would be permitted to work according to E-Verify rules.** When asked for their opinion about allowing prescreening, 70 percent of 2015 E-Verify users indicated support for this change and 7 percent opposed it.

**Almost all respondents reported that they typically notified their workers of TNCs within three days of receiving notification of the TNCs.** Although employers are instructed to promptly notify workers of TNCs, there are no specific guidelines on how promptly employers must notify workers of TNCs. Among the 19 percent of 2015 E-Verify employers reporting that had had workers receiving TNCs not due to data entry errors, almost all (98 percent) reported that they typically notify them within three days.

**Some employers reported that they did not always terminate the employment of workers immediately after receipt of FNCs.** In 2015, among the 5 percent of employers with workers who had received FNCs, 73 percent reported that their companies *always* terminated the workers' employment immediately and another 14 percent reported doing so *sometimes*. The failure to terminate employment may be due, at least in part, to the fact that employers are not required to terminate employment when E-Verify cases result in FNCs, as well as a lack of explicit time frames for acting on FNCs.<sup>99</sup>

## 1.3. Recommendations

**Congress should continue its consideration of legislation making E-Verify mandatory for all employers and should also consider allowing or even requiring all employers to verify their existing workforces.** Such expansion would decrease the ability of workers to obtain employment by avoiding E-Verify employers or by continuing to work for employers that enrolled in E-Verify after they were hired. It should be noted that such expansion would probably be perceived as burdensome by at least some of the employers that have not previously volunteered to use E-Verify.

**USCIS should work with congressional stakeholders to establish a small time-limited pilot program to test and evaluate a provision allowing employers to confirm that job applicants are employment authorized prior to hiring them.** Prescreening is prohibited by statute because of its likely discriminatory impact on workers; however, its use would reduce the time that unauthorized workers can be employed by employers, which would be welcomed by most E-Verify employers that may face significant burdens when required to terminate employees who receive FNCs. A pilot program would permit a better understanding of the ramifications of such an E-Verify modification.

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<sup>99</sup> According to the E-Verify User Manual, March 2015, the employer can exercise its legal right to allow the employee to continue to work after receiving a Final Nonconfirmation, but must choose this case closure statement.

**Congress should consider modifying legislation that prevents the use of Photo Matching of driver’s licenses in E-Verify.**

**Congress should consider modifying E-Verify legislation to require termination of employment for workers receiving FNCs after they and/or their employers have exhausted any available opportunities to review their cases.<sup>100</sup>**

**USCIS should specify time frames within which workers must be notified of TNCs and when actions should be taken after workers receive FNCs to minimize the time that unauthorized workers are permitted to work.** Although employers report that they promptly notify workers of TNCs and act on FNCs, the lack of rules governing these time frames makes it difficult to monitor and correct the behavior of employers that do not do so.

**USCIS should review and, as needed, revise employer materials that explain proper Photo Matching procedures to improve the effectiveness of this identity check.** The relatively high noncompliance of employers to the Photo Matching rules could mean there is some confusion about proper procedures that could benefit from clearer instructions to employers. One possible way of doing this would be to create a short E-Verify multi-media on-demand resource to explain Photo Matching.

## **2. PREVENTING UNDUE BURDEN ON EMPLOYERS**

### **2.1. Introduction**

The E-Verify authorizing legislation requires E-Verify to avoid undue employer burden. In addition to directly examining burden, this report has examined measures of employer satisfaction which is likely to be strongly related to burden.

### **2.2. Findings**

**The survey results show that employers are for the most part very satisfied with E-Verify and do not report it to be excessively burdensome.** For example, in 2015:

- Almost all current E-Verify users agreed that E-Verify is effective (96 percent) and highly accurate (96 percent).
- Almost all (95 percent) of E-Verify employers also reported that the content of the online tutorial was easy to understand and agreed that the tutorial adequately prepared users to use the online verification system.
- Most E-Verify employers (86 percent) agreed that the online enrollment process was easy to complete.
- Over two-thirds (69 percent) of E-Verify users reported that E-Verify is very user-friendly and another 31 percent felt it was moderately or slightly user-friendly.
- When asked if USCIS usually provides adequate training when introducing new program features, 89 percent of respondents agreed that it did so.

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<sup>100</sup>It is our understanding that USCIS is in the process of approving and then implementing a more formal review process for FNC recipients.

- Over 95 percent of E-Verify respondents that had used the Help Desk or had called Customer Service reported that they were either very satisfied or satisfied with their experiences with these services.
- Furthermore, approximately two-thirds of employers that were mandated to use E-Verify reported that they would be very likely or likely to continue using E-Verify, even if their company were no longer required to use it.

**However, some 2015 respondents pointed to specific problems or requested changes to E-Verify that would increase their satisfaction and/or decrease their burden:<sup>101</sup>**

- The most frequently requested change was an extension of the three-day rule. Almost half (45 percent) of E-Verify users agreed that at times it is impossible to submit case information by the deadline. When asked about the number of days that they would like to have to submit cases for new hires, the most frequently cited preferences were a week (52 percent), more than a week (24 percent), and 5 days (20 percent).
- Substantial numbers of current E-Verify users supported eliminating the paper Form I-9 (45 percent).
- Almost a third of employers (32 percent) agreed with the statement that the online tutorial took too long to complete and 28 percent thought that it was a burden to pass the tutorial knowledge test prior to using E-Verify.
- Approximately 22 percent of employers agreed with the statement that the online enrollment process was too time-consuming.
- About one in five employers (22 percent) reported that system timeouts required the company to reenter information previously entered.

There was some indication that employer burden was a disincentive to using E-Verify. Among the 19 percent of mandated 2015 users of E-Verify reporting that their companies were *unlikely* to continue using E-Verify if it were not mandated, the most frequently cited reason was that E-Verify was burdensome to use (50 percent). Some nonusers (38 percent) also cited burden as a reason for not using it.

Small employers were relatively likely to express dissatisfaction with aspects of E-Verify:

- When compared to large companies, greater percentages of small companies thought the online enrollment process was too time-consuming (28 percent versus 18 percent) and the tutorial took too long to complete (39 percent versus 25 percent).
- Small companies were more likely than medium-sized and large companies to agree that it was a burden to pass the tutorial knowledge test (41 percent versus 25 and 17 percent, respectively).
- Small companies were also less likely than large companies to report that the user manual was helpful (48 versus 65 percent) and were less likely to indicate that online reports to monitor workers' statuses were helpful (58 percent versus 70 percent).

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<sup>101</sup>Requested changes with implications for unauthorized employment, discrimination, or worker rights are discussed in other sections of this chapter.

Companies in high-risk industries and employment agencies tended to have lower levels of satisfaction than other employers. For example:

- Employers in high-risk industries were more likely than employers in other types of industries to agree that the online enrollment was too time-consuming (28 percent versus 20 percent) and that the tutorial took too long to complete (37 percent versus 31 percent).
- In addition, employment agencies were less likely than companies in other types of industries to report that the online tutorial answered all of their questions about using E-Verify (87 percent versus 92 percent).

However, employment agencies which have unique verification needs were relatively likely to find online E-Verify resources helpful. For example, more than two-thirds of employment agencies (69 percent) reported that the user manual was helpful compared with 60 percent of companies in high-risk industries and 54 percent in other types of industries. Higher satisfaction rates among employment agencies were also observed for online webinars, system-generated reports to monitor the status of cases and the company's use of E-Verify, mouse-over features, and newer resources such as the E-Verify Quick Reference Guide and the Self-Assessment Guide.

### 2.3 Recommendations

**Congress should consider extending the three-day rule for creating a case for verification to five business days.** Although extending the rule on when E-Verify queries must be initiated would require a change in legislation, more employers are choosing to outsource E-Verify, and the work environment is becoming more complex (e.g., use of offsite, temporary, and part-time workers), making it more likely that Form I-9 documents need to be transferred to another location for use in E-Verify. Such an extension of the three-day rule would likely make E-Verify more appealing to some employers. However, it would prolong the time that workers without work authorization would be able to keep working.

**USCIS should consider conducting some testing with E-Verify employers to gain insights into specific ways in which the tutorial can be streamlined, if possible, without losing critical content and concepts.** The time taken to complete the tutorial has been a consistent employer complaint. USCIS has taken steps to reduce the time taken to complete it, but it is likely that more can be done in this area.

**USCIS should consider an E-Verify system enhancement to include an “auto save” feature to eliminate the need for employers to reenter worker information lost during system timeouts.**

**USCIS should continue to identify the specialized needs of different subgroups of employers and create materials targeted to these subgroups and should also consider whether E-Verify procedures need to be modified to meet their needs.** The ongoing expansion of USCIS outreach efforts should be sensitive to the varying needs of subgroups, including small employers, employers in high-risk industries, and employment services providers. The increased use of E-Verify results in increases in the size of many employer subgroups, making such targeting more cost-effective than it was in the past.

### 3. SAFEGUARDING WORKERS FROM VERIFICATION-RELATED DISCRIMINATION AND PROTECTING PRIVACY AND WORKERS' CIVIL LIBERTIES

#### 3.1 Introduction

The E-Verify authorizing legislation requires E-Verify to avoid discrimination and violation of worker privacy. Since these two E-Verify goals are closely aligned, they are discussed together in this section.

#### 3.2 Findings

Although the majority of E-Verify users (69 percent) reported that their companies were neither more nor less willing to hire job applicants who appeared to be foreign born than they were prior to using E-Verify, the percent of employers reporting they were more willing to hire foreign-born workers than they were prior to using E-Verify exceeds the percentage reporting they were less willing (9 percent compared to 2 percent). This is consistent with one of the initial goals of E-Verify, which was to decrease hiring discrimination against foreign-born workers by making employers more comfortable with their ability to determine the work-authorization of workers who appeared to be foreign born.

**Employer compliance with E-Verify procedures designed to protect worker rights and avoid discrimination constitutes an ongoing challenge to E-Verify.** The following findings from the user survey should be interpreted in light of the fact that it is likely that employers underreport noncompliant behavior:

- While most E-Verify users indicated that they never fired or decided not to hire workers with TNCs without informing them, a few reported these discriminatory practices. Among employers that had workers with TNCs, 2 percent reported that they at least sometimes fired workers without informing them of TNCs and 3 percent reported that they at least sometimes decided not to hire workers receiving TNCs without telling them about the finding.
- Some E-Verify users reported potentially discriminatory practices of restricting work assignments, reducing pay, and delaying training until work authorization could be confirmed. Among E-Verify users that had workers receiving TNCs, 30 percent reported restricting work assignments until work authorization was confirmed, 26 percent reported delaying training until work authorization could be confirmed and 4 percent reported that pay was reduced until work authorization was confirmed.
- Some employers (8 percent) reported that their use of E-Verify Photo Matching influenced the types of documents requested from workers. This is a violation of Form I-9 procedures.
- A small percentage of current E-Verify employers reported practices that constituted prescreening (9 percent) even though, as mentioned earlier, a much higher percentage (70 percent) thought prescreening should be allowed. These employers used E-Verify before a job offer was made and accepted which can result in discriminatory actions, especially if the employer decides not to hire a worker receiving a TNC without informing the worker of the TNC.
- Some companies (11 percent) violated E-Verify policies by using E-Verify for existing workers they believed were not work authorized.

- Some non-federal contractors (17 percent) reported violating E-Verify procedures by using E-Verify for existing workers.
- Some respondents either had not completed the tutorial (4 percent) or were unaware of it (2 percent). Completing the tutorial is important for ensuring that users are aware of their E-Verify responsibilities, including the need to safeguard worker rights.
- Among the 83 percent of E-Verify employers indicating that workers usually, sometimes, or rarely provided email addresses, close to half (47 percent) indicated they never submitted this information to E-Verify during the verification process. Without this information, E-Verify cannot directly notify workers that they have received TNCs.

In addition to employer reports of noncompliant behavior potentially affecting worker rights and discrimination, the survey results indicated:

- Over one-third (37 percent) of E-Verify users agreed that they were sometimes unsure about how to enter certain types of names despite added on-screen instructions. Difficulties in entering uncommon types of worker names, particularly single names, compound names, or very long names, into the E-Verify system can result in the issuance of TNCs to employment-authorized workers. Since these names are most common among foreign-born workers, employer confusion about how to enter these names contributes to employment-authorized foreign-born workers' being relatively likely to receive TNCs.
- Almost half (47 percent) of E-Verify users indicated support for adding a formal appeal process to E-Verify that employers or their employees could use if they disagree with FNC case findings.<sup>102</sup> This suggestion is a modification of 2015 procedures that is currently in the planning stages, which should allow further protections of worker rights yet may also prolong the time some unauthorized workers are allowed to work. Only 8 percent of the employers opposed this potential change.

### 3.3 Recommendations

**Adapt and/or supplement current training materials, tutorials, webinars, FAQs, and on-screen help to place further emphasis on instructing employers about procedures known to lead to violations of E-Verify and Form I-9 requirements (e.g., three-day rule and prescreening, additional instructions and examples for entering complex names, using E-Verify for existing workers when not permitted by current procedures, and the procedures to follow for workers who receive TNCs and FNCs).**

**To the extent feasible, USCIS should use just in-time methods to inform employers of their responsibilities to adhere to E-Verify provisions designed to minimize discrimination and safeguard workers' rights.** For example, since employers may go for some time without having any workers receiving TNCs,<sup>103</sup> it would make sense to send emails to employers about how to process TNCs when they have a worker receive a TNC after a specified period of time without having a TNC. The evaluation team is suggesting that this notification be sent in an email to E-Verify program and corporate administrators because employers are not required to have general users.<sup>104</sup> Additionally, program administrators and general users are responsible for creating cases but they may not be the same staff responsible for interfacing with workers who receive TNCs.

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<sup>102</sup>Note that the question, as asked, did not specify whether the worker would be allowed to work during the appeal process.

<sup>103</sup>Only 10 percent of employers had workers who received TNCs in January-March 2015.

<sup>104</sup>See <https://www.uscis.gov/E-Verify/getting-started/enrollment-process/user-roles>.

**USCIS should prepare specific stand-alone job aids for employers to print out from the E-Verify website and post in locations where verifications are conducted.** The purpose of the job aids is to remind users about the key E-Verify requirements and their responsibility to ensure the security of user names and passwords, the sharing of which can lead to circumventing taking the tutorial and additional violations.

**USCIS' Monitoring and Compliance branch should consider the discriminatory behaviors noted in the findings of this report, as they expand their algorithms to detect misuse.**

**The worker's email address, if provided on Form I-9, should be a required data input field in E-Verify and Monitoring and Compliance should identify employers that appear to be violating this requirement.** Email notification of workers receiving TNCs should help ensure that workers are informed of TNCs when employers fail to properly inform them.<sup>105</sup> Employer compliance with the requirements for notifying workers of their TNC findings also should be monitored closely to ensure that the email notification enhancement for workers does not result in employers becoming less likely to notify workers of TNCs.

**USCIS and SSA should continue work on developing an administrative process<sup>106</sup> that workers and their employers can use if they disagree with the final E-Verify finding and expand the process under consideration to include employers as well as workers.** In considering this review, USCIS should be aware of the potential disadvantage of prolonging the time that unauthorized workers can be employed by a given employer.

#### 4. FUTURE RESEARCH

The evaluation team believes that the following recommendations for future research should be given priority:

- **A survey or special study of EEAs and their clients should be conducted.** These employers were last studied in 2010. Although EEAs constituted only 4 percent of E-Verify employers in 2015, they transmitted 43 percent of E-Verify cases.
- **USCIS should consider conducting a study of employment agencies—both permanent placement agencies and temporary help agencies—that use E-Verify.** There has never been a study of this group of employers that have unique verification needs and whose understanding of E-Verify policies and practices are often different than those of regular E-Verify users.
- **USCIS, in conjunction with professional or similar associations, should conduct focus groups and/or surveys of employer subgroups—including, but not limited to, small employers, employment agencies, and EEAs—to better understand their unique E-Verify needs.** These small-scale studies would be helpful in increasing the awareness of E-Verify among associations as well as individual employers and will be helpful to USCIS in targeting their informational and training materials to meet the unique needs of these employers. Both E-Verify users and nonusers should be consulted. One approach to this effort would be to develop targeted materials based on the information in this report and then have focus groups comprised of specific groups react to them.
- **USCIS should continue its practice of evaluating E-Verify periodically using sound social science research methods as long as major changes continue to be made.**

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<sup>105</sup> See the 2016 accuracy report for additional recommendations related to strengthening the email notification process.

<sup>106</sup> The USCIS Administrative Appeals Office is a possible entity that might be involved in a formal appeals process.

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## GLOSSARY

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## GLOSSARY

- **Active employers with no Tentative Nonconfirmations (TNCs).** In this report, the employers in this category had transmitted at least one case to E-Verify between January 1 and March 31, 2015. However, none of their workers received a TNC during that time period.
- **Active employers with Tentative Nonconfirmations (TNCs).** In this report, the employers in this category had at least one TNC response to a case submitted to the E-Verify system between January 1 and March 31, 2015. TNCs indicate that the worker's employment authorization cannot be confirmed based on information in federal records.
- **Admission Number or I-94 Number.** An 11-digit number found on Form I-94 or Form I-94A Arrival-Departure Record.
- **Alien number.** A unique identification number Department of Homeland Security (DHS) assigns to noncitizens when any one of several DHS actions occurs that results in the creation of a file on or issuance of secure documentation for the person. Such actions include admission as a lawful permanent resident, asylee, or refugee, and issuance of an Employment Authorization Document.
- **Authorized worker.** An individual who is allowed to work legally in the United States. (Also see employment authorized.)
- **Basic Pilot Program.** The first of three pilot projects for employment verification mandated by Congress in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The Basic Pilot Program is now referred to as E-Verify.
- **Case.** A query created in E-Verify to confirm the identity and work eligibility of a worker.
- **Case alerts.** A section at the bottom of the E-Verify home page that notifies the user of cases requiring action, including open cases to be closed, cases with new updates, and cases with expiring work authorization documents.
- **Citizen.** A person owing loyalty to the protection of a particular nation state, usually by virtue of birth or naturalization. Generally used in the report to mean a U.S. citizen.
- **Client of E-Verify Employer Agent (EEA).** The type of E-Verify access that employers designate for themselves when enrolling if they plan to have an EEA conduct the E-Verify process on their behalf.
- **Contest.** The option available to workers when they receive a Tentative Nonconfirmation (TNC) and disagree with the finding to contact the Social Security Administration (SSA) or the Department of Homeland Security (DHS) to resolve the problem in their records that led to the TNC.
- **Corporate Administrator.** Within the E-Verify Program, corporate administrator access is used only for managing multiple employer accounts and does not allow corporate administrator users to create and manage E-Verify cases. New corporate administrators must attend a free, regularly scheduled Web-based training session before their accounts can be activated.
- **Data entry error.** An entry incorrectly keyed into an employment verification database by an employer.

## GLOSSARY

- **Department of Homeland Security (DHS).** Department of the Executive Branch of the U.S. government charged with homeland security: preventing terrorism and managing risks to critical infrastructure; securing and managing the border; enforcing and administering immigration laws; safeguarding and securing cyberspace; and ensuring resilience to disasters.
- **Discrimination.** Adverse treatment of individuals based on group identity. In employment situations, discrimination is defined as differential treatment based on individual characteristics, such as national origin, citizenship, immigration status, race or gender, which are unrelated to productivity or performance.
- **Duplicate Case Alert.** A feature to prompt users when they may be creating multiple E-Verify cases for the same worker. When a case is submitted, E-Verify will check for duplicate cases based on Social Security number (SSN) and prompt the user in situations where the SSN matches a case previously entered by the same employer within the prior 30 days.
- **Employee.** An individual who provides services or labor for an employer for wages or other remuneration (does not include an independent contractor or those engaged in casual domestic employment, as defined). In this report, this term is generally used interchangeably with the term worker.
- **Employee email notifications.** E-Verify sends email notifications to employees who receive Tentative Nonconfirmations (TNCs) and who provide their email address, an optional field on Section 1 of Form I-9. Employers are required to enter worker-provided email addresses into E-Verify to ensure workers receive the TNC notification from E-Verify. Employers are also required to directly notify employees who receive TNCs.
- **Employer.** This report uses the term “employers” to include companies, firms, and other types of E-Verify participants (e.g., government entities, unincorporated employers, and sole proprietors). A franchise that is independently owned and has acquired the rights to use the name of a national chain is considered a company rather than a branch of a larger company.
- **Employment.** Any service or labor performed by an employee for an employer within the United States, but not including casual domestic employment or duties performed by nonimmigrant crewmen (D-1 or D-2 visas).
- **Employment Authorization Document (Form I-766/EAD).** A general term used to describe a card issued by USCIS on Form I-766 with the title “Employment Authorization Card” to aliens who are authorized to work in the United States in order to evidence their employment authorization. The card contains a photograph of the individual and sometimes his or her fingerprint. A noncitizen who has been issued this card usually has open-market employment authorization, but there are exceptions.
- **Employment authorized.** The designation that a worker is authorized to work in the United States. Persons authorized to work include U.S. citizens and nationals and noncitizens of various employment-authorization designations. (Also see authorized worker.)
- **Employment agency.** Employment agencies are self-identified in the E-Verify Transaction Database based on a North American Industry Classification System (NAICS) code of 5613 (employment services). These companies include employment placement agencies, executive search services, temporary help services, and professional employer organizations.
- **Employment verification.** Process of confirming authorization to work in the United States.
- **Establishment.** A single location where an employer’s business is conducted.

- **E-Verify.** E-Verify is the name currently used in referring to the Basic Pilot Program initially authorized in 1996. It electronically confirms the employment authorization of newly hired employees based on Form I-9 information input by employers. Throughout the report, the term “E-Verify” may refer to the overall program or the electronic system used to operate it.
- **E-Verify Employer Agent (EEA).** An individual or company that processes E-Verify cases on behalf of other employers (clients). Formerly known as Designated Agent or DA.
- **E-Verify users.** Enrolled employers or designated employees (e.g., human resources personnel) that use E-Verify on behalf of companies.
- **EV-STAR (E-Verify SSA Tentative Nonconfirmation Automated Response System).** Implemented in October 2007, an automated tracking process for referring and contesting Tentative Nonconfirmations (TNCs) at SSA to more closely mirror the USCIS TNC tracking process.
- **Federal Acquisition Regulation (FAR) rule.** Executive Order 12989, as amended on June 6, 2008, directs federal agencies to require that federal contractors and their subcontractors electronically confirm the employment eligibility of their newly hired workers and workers performing work on a federal contract. The requirement only affects federal contractors that are awarded a new contract on or after September 8, 2009, that includes the Federal Acquisition Regulation (FAR) E-Verify clause (73 FR 67704). Federal contractors participating in E-Verify under the FAR clause must follow most of the same E-Verify rules and procedures as general employers. However, unlike general employers, covered federal contractors are required to use E-Verify to electronically verify existing employees that will be working on federal contracts that include the FAR clause. Covered federal contractors are also permitted to electronically confirm work authorization for all existing employees, if they choose to do so.
- **Field office.** Offices found in some USCIS districts that serve a portion of the district’s jurisdiction, providing services and enforcement functions.
- **Final Nonconfirmation (FNC).** A result on the Transaction Database indicating that the worker’s employment eligibility cannot be verified.
- **Firm.** A corporate entity that conducts business at one or more sites.
- **Foreign born.** An individual who was born outside of the United States. American citizens can be foreign born, either because they were born abroad to at least one U.S. citizen parent or because they were naturalized or derived U.S. citizenship through their parents.
- **Form I-9, Employment Eligibility Verification.** The USCIS form employers must use to confirm the identity and employment authorization of all newly hired employees in the United States. The form was developed following passage of the Immigration Reform and Control Act of 1986.
- **Fraudulent documents.** Identity and/or employment authorization documents that are counterfeit or are legitimate but have been altered to change the identifying information or images to represent another person.
- **Further Action Notice (FAN). Previously referred to as Notice of Tentative Nonconfirmation (TNC).** The form notifying a worker that a TNC has been issued by the verification system and informing the worker of his or her rights and responsibilities with respect to resolving the TNC. The worker must sign the form, indicating whether he or she wishes to contest the finding. As of September 8, 2013, the TNC Notice was replaced by the FAN.

## GLOSSARY

- **General User.** Within the E-Verify Program, this user type creates cases, views reports and can update his or her user profile. It is optional for employers have a general user(s).
- **Headquarters.** A franchise that was independently owned and had acquired the rights to use the name of a national chain was considered a company rather than a branch of a larger company. For simplicity, this report treats the term “company” as being synonymous with “employer,” “firm,” “headquarters,” or other types of E-Verify participants (e.g., government entities, unincorporated employers, and sole proprietors).
- **High-risk industries.** These are industries with historically large numbers of undocumented workers. They consist of Agriculture, Forestry, Fishing, and Hunting; Construction; Food Manufacturing; Services to Buildings and Dwellings; Accommodations; and Food Services and Drinking Places. The definition of this category is based on the following report: Jeffrey S. Passel and D’Vera Cohn, Pew Hispanic Center, *A Portrait of Unauthorized Immigrants in the United States*, April 14, 2009.
- **Hire.** The actual commencement of employment of an employee for wages or other remuneration.
- **Hire date.** According to the USCIS public website, “The hire date is the date the employee began (or will begin) work for pay. Use the Section 2 ‘Certification’ date from the employee’s Form I-9 as the hire date in E-Verify.” The earliest the employer may initiate an E-Verify query is after an individual accepts an offer of employment and after the employee and employer complete Form I-9. The employer must initiate the query no later than the end of three business days after the new hire’s actual start date.
- **Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA).** A major immigration law enacted on September 30, 1996. Among other things, IIRIRA mandated that the then Immigration and Naturalization Service conduct and evaluate three pilot electronic employment verification programs, including the Basic Pilot Program now called E-Verify.
- **Immigrant.** A noncitizen who has been granted lawful permanent residence in the United States. Immigrants either obtain immigrant visas at consular offices overseas or, if a visa number is immediately available or unnecessary, adjust status at USCIS offices in the United States. (Also see lawful permanent resident.)
- **(U.S.) Immigration and Customs Enforcement (ICE).** The principal investigative arm of the U.S. Department of Homeland Security, ICE’s primary mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.
- **Inactive employers.** In this report, this group includes both: (1) employers that had formally terminated use of the system between October 1, 2014 and March 31, 2015, and (2) employers that had not formally terminated use of the system but had signed an MOU between July 1 and September 30, 2014 and had not had any transactions in the six months ending in March 31, 2015.
- **Immigration and Naturalization Service (INS).** The Immigration and Naturalization Service was abolished in 2003. Its functions are now performed by three agencies of the Department of Homeland Security—U.S. Citizenship and Immigration Services (USCIS), ICE and Customs and Border Protection.
- **Last Name.** Family name or surname.

- **Lawful Permanent Resident.** Any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Also known as “Permanent Resident Alien,” “Resident Alien Permit Holder,” and “Green Card Holder.”
- **Management Program Assistants (MPAs).** The group of USCIS field office staff who verifies immigration status for benefit and licensing agencies and E-Verify employers. One of their functions is to verify the status of individuals receiving a Tentative Nonconfirmation (TNC) from USCIS. MPAs were formerly called Immigration Status Verifiers (ISVs).
- **Memorandum of Understanding (MOU).** A signed document in which an employer choosing to participate in E-Verify agrees to abide by the terms and conditions of E-Verify and that specifies DHS’ and SSA’s provision of certain materials and services.
- **New hire.** According to USCIS, for E-Verify purposes, a new hire is a person who has been offered and accepted a job offer.
- **Noncitizen.** Any person who is not a citizen or a national of the United States.
- **Nonimmigrant.** A noncitizen admitted to the United States with a nonimmigrant visa or under the nonimmigrant visa waiver program for a specified temporary purpose and time period. Common examples are tourists, students, temporary workers, and foreign government officials.
- **Passport (Foreign).** Any travel document issued by a competent authority showing the bearer’s origin, identity and nationality, if any, which is valid for the entry of the bearer into a foreign country.
- **Passport (United States).** Document issued by the U.S. Department of State to U.S. citizens and noncitizen nationals certifying the holder’s identity and citizenship and entitling them to travel under its protection to and from foreign countries.
- **Password.** A unique identifier that allows registered E-Verify users to access E-Verify.
- **Pay.** Wages or other remuneration.
- **Permanent Resident.** See lawful permanent resident.
- **Photo Matching.** Photo Matching permits employers to compare photographs on worker documents with digital photographs stored in government systems to detect existing valid documents that have a new photograph substituted on the original document or counterfeit documents created with valid information but a new photograph. The documents available for Photo Matching in FY 2014 were the Permanent Resident Cards (“green cards”), Employment Authorization Documents (EADs), and U.S. passports and passport cards.
- **Prescreen.** To evaluate the employment authorization of an individual *before* a job offer is made and accepted.
- **Pre-TNC checks.** The SSA pre-Tentative Nonconfirmation (pre-TNC) check and USCIS pre-TNC check that were implemented in September 2007. For SSA, this process consists of asking employers to review their input of worker information into E-Verify and correct any detected errors prior to the issuance of a TNC. For USCIS, employers are asked to review their input of worker information into E-Verify prior to the case going to the secondary verification process in which Management Program

## GLOSSARY

Assistants manually check additional DHS databases when the initial automated check does not confirm that the worker is work authorized.

- **Professional Employment Organization (PEO).** A company that provides a range of human resources services to clients (e.g., benefits, payroll, training, worker compensation) for a fee.
- **Program Administrator (PA).** This user type creates user accounts at his or her web site. This user can view reports, create cases, update account information and unlock user accounts. All companies are required to have at least one program administrator.
- **Query.** The action of keying information and accessing records available to DHS and SSA to confirm employment eligibility. A single employment case may involve multiple queries. (Also see case.)
- **Referral Date Confirmation.** The Referral Date Confirmation provides an employee the date by which he or she must initiate contact with SSA or DHS to begin to resolve a Tentative Nonconfirmation (TNC). Employees have eight federal government workdays from the date of referral to visit SSA or contact DHS.
- **Sample frame.** The list from which a sample is selected. For the 2015 Web survey, the sample frame consisted of companies that had submitted cases to E-Verify between January 1 and March 31, 2015 or had formally terminated involvement in E-Verify between October 1, 2014 and March 31, 2015, or had signed a Memorandum of Understanding for participation between October 1, 2014 and March 31, 2015 but had not transmitted any cases to E-Verify between October 1, 2014 and March 31, 2015. E-Verify Employer Agents (EEAs) or their clients were not eligible for the survey.
- **Secure documents.** Documents that have special security features such as bar codes, holograms, embedded images, biometric identifiers, laminates, or other features that make them difficult to counterfeit or alter. Such documents are typically issued through processes that are also secure.
- **Self Check.** A voluntary and free service of the USCIS E-Verify Program that allows individuals to check their employment eligibility in the United States.
- **Social Security Administration (SSA).** The federal government agency that administers a national program of contributory social insurance. SSA and DHS jointly manage the E-Verify program.
- **Survey sample.** The individuals or groups selected from the sample frame for participation in the survey.
- **Tentative Nonconfirmation (TNC) (of work authorization).** The initial response from E-Verify when a worker's employment authorization cannot be immediately confirmed based on the information submitted into E-Verify when matched against records available to DHS and SSA. There are many possible reasons that a worker may receive a TNC, ranging from employer-keying errors to a worker's lack of employment authorization. As of September 8, 2013, the TNC Notice was replaced by the Further Action Notice (FAN).
- **Transaction Database.** The administrative database that captures all E-Verify transactions by employers, SSA, and USCIS.
- **U.S. citizen.** An individual who is born in the United States or attains U.S. citizenship by being born abroad to at least one U.S. citizen parent, by being naturalized, or by deriving citizenship following his or her parents' naturalization.

- **Unauthorized employment.** Employment of workers without work authorization. (Also see unauthorized worker.)
- **Unauthorized worker.** A noncitizen or non-lawful permanent resident who does not have legal permission to work in the United States. This category includes unauthorized workers who are in the country legally (e.g., visitors) but do not have authorization to work in the United States. (Also see undocumented worker.)
- **Undocumented worker.** A person who is employed who does not have authorization to work in the United States.
- **Unweighted response rate.** The proportion of the sampled companies that responded to the survey.
- **User ID.** The user ID is an assigned ID with letters and numbers that identifies the user of a computer system or network. All users who create cases in E-Verify must have their own user IDs. The user ID must be eight characters and may be letters, numbers or a combination of both. A user ID is not case-sensitive.
- **Verification.** A process by which a case is entered into E-Verify for confirmation of identity and work authorization.
- **Verification Information System (VIS).** The USCIS information system used by the E-Verify Program. It includes data from primary DHS databases with new information on noncitizen status.
- **Weighted response rate.** The proportion of the total sample frame that is contributed by the weighted number of companies that responded to the survey. Weights are based on the probability of selection.

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**APPENDIX A**  
**DETAILED TABLES**

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**Table A-1. Number and percent of employers that signed a Memorandum of Understanding (MOU), by employer type: October 2008 – March 2015**

Year and quarter	Number of employers				Percent of employers		
	Total number of employers	Regular employers	E-Verify Employer Agents (EEAs)	Clients of EEA	Regular employers	E-Verify Employer Agents (EEAs)	Clients of EEA
<b>FY 2008</b>							
Oct-Dec	16,734	14,507	1,446	781	86.7	8.6	4.7
Jan-Mar	19,566	15,260	1,695	2,611	78.0	8.7	13.3
Apr-June	14,385	11,740	1,469	1,176	81.6	10.2	8.2
July-Sept	15,100	12,733	1,578	789	84.3	10.5	5.2
<b>FY 2009</b>							
Oct-Dec	13,069	11,074	1,378	617	84.7	10.5	4.7
Jan-Mar	18,659	15,159	1,671	1,829	81.2	9.0	9.8
Apr-June	17,297	12,906	1,486	2,904	74.6	8.6	16.8
July-Sept	23,618	18,828	1,703	3,087	79.7	7.2	13.1
<b>FY 2010</b>							
Oct-Dec	24,372	20,327	1,923	2,122	83.4	7.9	8.7
Jan-Mar	16,392	13,253	1,417	1,722	80.9	8.6	10.5
Apr-June	17,693	14,106	1,549	2,038	79.7	8.8	11.5
July-Sept	16,752	12,933	1,350	2,469	77.2	8.1	14.7
<b>FY 2011</b>							
Oct-Dec	15,752	12,713	1,337	1,702	80.7	8.5	10.8
Jan-Mar	19,138	15,856	1,514	1,768	82.9	7.9	9.2
Apr-June	18,798	15,141	1,484	2,173	80.5	7.9	11.6
July-Sept	20,541	16,373	1,569	2,599	79.7	7.6	12.7
<b>FY 2012</b>							
Oct-Dec	24,195	19,593	1,656	2,946	81.0	6.8	12.2
Jan-Mar	40,441	31,666	2,680	6,095	78.3	6.6	15.1
Apr-June	32,894	23,314	2,026	7,554	70.9	6.2	23.0
July-Sept	21,869	15,118	1,526	5,225	69.1	7.0	23.9
<b>FY 2013</b>							
Oct-Dec	18,680	13,610	1,284	3,786	72.9	6.9	20.3
Jan-Mar	22,285	16,914	1,590	3,781	75.9	7.1	17.0
Apr-June	22,610	16,760	1,637	4,213	74.1	7.2	18.6
July-Sept	22,790	16,468	1,621	4,701	72.3	7.1	20.6
<b>FY 2014</b>							
Oct-Dec	19,410	14,041	1,494	3,875	72.3	7.7	20.0
Jan-Mar	22,801	16,834	1,573	4,394	73.8	6.9	19.3
Apr-June	20,023	14,028	1,523	4,472	70.1	7.6	22.3
July-Sept	18,510	12,464	1,429	4,617	67.3	7.7	24.9
<b>FY 2015</b>							
Oct-Dec	17,382	11,650	1,403	4,329	67.0	8.1	24.9
Jan-Mar	20,005	14,098	1,572	4,335	70.5	7.9	21.7

SOURCE: E-Verify Transaction Database.

**Table A-2. Number of employers that signed a Memorandum of Understanding (MOU) and number and percent that used E-Verify, by employer type: October 2008 – March 2015**

	<b>Regular employers</b>	<b>E-Verify Employer Agents (EEAs)</b>	<b>Clients of EEA</b>
Total signed MOU	469,467	47,583	94,710
Used E-Verify	268,273	15,478	70,487
Percent used E-Verify	57.1	32.5	74.4

SOURCE: E-Verify Transaction Database.

**Table A-3. Number of employers transmitting cases to E-Verify and number of cases transmitted to E-Verify: October 2008 – March 2015**

Year and quarter	Number of employers	Number of cases transmitted
<b>FY 2008</b>		
Oct-Dec	13,336	983,743
Jan-Mar	27,295	1,437,591
Apr-June	31,527	1,730,227
July-Sept	36,026	2,028,910
<b>FY 2009</b>		
Oct-Dec	35,155	1,799,697
Jan-Mar	38,958	1,753,458
Apr-June	42,422	2,163,770
July-Sept	50,832	2,488,549
<b>FY 2010</b>		
Oct-Dec	56,301	2,881,088
Jan-Mar	62,546	3,959,411
Apr-June	69,596	4,578,988
July-Sept	74,737	4,223,878
<b>FY 2011</b>		
Oct-Dec	73,363	3,690,922
Jan-Mar	79,792	3,695,735
Apr-June	88,435	4,453,420
July-Sept	93,855	4,772,237
<b>FY 2012</b>		
Oct-Dec	93,521	4,283,661
Jan-Mar	111,888	4,600,212
Apr-June	123,488	5,538,349
July-Sept	125,450	5,803,435
<b>FY 2013</b>		
Oct-Dec	121,260	5,356,600
Jan-Mar	130,748	5,272,456
Apr-June	141,163	6,431,190
July-Sept	147,942	6,873,290
<b>FY 2014</b>		
Oct-Dec	135,499	5,972,798
Jan-Mar	147,011	5,932,099
Apr-June	155,986	7,366,120
July-Sept	157,812	7,755,922
<b>FY 2015</b>		
Oct-Dec	150,129	7,094,588
Jan-Mar	156,667	6,594,747

SOURCE: E-Verify Transaction Database.

**Table A-4. Number and percent of employers transmitting cases to E-Verify, by company size: January – March 2015**

Number of workers	Number of employers	Percent
1 to 4	11,305	7.2
5 to 9	10,618	6.8
10 to 19	18,173	11.6
20 to 99	59,291	37.9
100 to 499	40,554	25.9
500 to 999	7,408	4.7
1,000 to 2,499	4,694	3.0
2,500 to 4,900	1,838	1.2
5,000 to 9,999	1,694	1.1
10,000 and over	1,092	0.7

SOURCE: E-Verify Transaction Database.

**Table A-5. Number and percent of employers transmitting cases to E-Verify, by industry type: October 2008 – March 2015**

Year and quarter	All industries, total	Employment services	Industries that have traditionally high percentages of undocumented workers	Other industries
<b>FY 2008</b>				
Oct-Dec	13,336	12.6	28.4	59.0
Jan-Mar	27,295	6.5	30.1	63.5
Apr-June	31,527	5.7	29.3	65.0
July-Sept	36,026	5.7	27.4	66.9
<b>FY 2009</b>				
Oct-Dec	35,155	6.0	26.0	68.1
Jan-Mar	38,958	5.6	24.2	70.2
Apr-June	42,422	5.0	24.8	70.3
July-Sept	50,832	4.3	23.8	71.9
<b>FY 2010</b>				
Oct-Dec	56,301	3.9	22.0	74.1
Jan-Mar	62,546	3.7	22.3	74.0
Apr-June	69,596	3.4	23.6	73.0
July-Sept	74,737	3.3	23.9	72.8
<b>FY 2011</b>				
Oct-Dec	73,363	3.2	23.1	73.8
Jan-Mar	79,792	2.9	24.1	72.9
Apr-June	88,435	2.7	25.5	71.8
July-Sept	93,855	2.5	25.3	72.3
<b>FY 2012</b>				
Oct-Dec	93,521	2.4	24.6	73.0
Jan-Mar	111,888	2.0	24.6	73.4
Apr-June	123,488	1.8	24.9	73.3
July-Sept	125,450	1.7	24.4	73.8
<b>FY 2013</b>				
Oct-Dec	121,260	1.7	23.7	74.6
Jan-Mar	130,748	1.6	23.8	74.6
Apr-June	141,163	1.5	24.5	74.0
July-Sept	147,942	1.5	24.3	74.2
<b>FY 2014</b>				
Oct-Dec	135,499	1.5	23.7	74.8
Jan-Mar	147,011	1.4	24.0	74.7
Apr-June	155,986	1.3	24.7	74.0
July-Sept	157,812	1.3	24.4	74.3
<b>FY 2015</b>				
Oct-Dec	150,129	1.3	24.0	74.8
Jan-Mar	156,667	1.2	24.0	74.8

SOURCE: E-Verify Transaction Database.

**Table A-6. Number and percent of cases transmitted to E-Verify, by industry type:  
October 2008 – March 2015**

Year and quarter	All industries, total	Employment services	Industries that have traditionally high percentages of undocumented workers	Other industries
<b>FY 2008</b>				
Oct-Dec	983,743	36.6	17.8	45.6
Jan-Mar	1,437,591	27.3	17.9	54.8
Apr-June	1,730,227	24.6	19.2	56.3
July-Sept	2,028,910	22.7	16.5	60.8
<b>FY 2009</b>				
Oct-Dec	1,799,697	20.9	15.1	64.0
Jan-Mar	1,753,458	20.6	15.4	64.0
Apr-June	2,163,770	17.7	14.7	67.6
July-Sept	2,488,549	17.8	14.1	68.2
<b>FY 2010</b>				
Oct-Dec	2,881,088	13.8	11.7	74.6
Jan-Mar	3,959,411	10.9	10.6	78.5
Apr-June	4,578,988	11.3	11.8	76.9
July-Sept	4,223,878	11.9	13.5	74.6
<b>FY 2011</b>				
Oct-Dec	3,690,922	12.1	12.2	75.8
Jan-Mar	3,695,735	12.0	14.5	73.6
Apr-June	4,453,420	10.9	15.4	73.7
July-Sept	4,772,237	10.9	14.5	74.6
<b>FY 2012</b>				
Oct-Dec	4,283,661	10.8	13.4	75.8
Jan-Mar	4,600,212	9.6	16.2	74.1
Apr-June	5,538,349	9.2	16.7	74.1
July-Sept	5,803,435	9.4	15.8	74.8
<b>FY 2013</b>				
Oct-Dec	5,356,600	10.0	14.8	75.3
Jan-Mar	5,272,456	9.4	17.2	73.4
Apr-June	6,431,190	8.9	17.6	73.5
July-Sept	6,873,290	8.9	16.8	74.3
<b>FY 2014</b>				
Oct-Dec	5,972,798	9.5	15.2	75.3
Jan-Mar	5,932,099	8.8	17.8	73.4
Apr-June	7,366,120	8.0	17.9	74.2
July-Sept	7,755,922	7.5	17.0	75.5
<b>FY 2015</b>				
Oct-Dec	7,094,588	8.2	15.6	76.2
Jan-Mar	6,594,747	7.4	18.2	74.4

SOURCE: E-Verify Transaction Database.

**Table A-7. Number and percent of employers transmitting cases to E-Verify, by type of employer: October 2008 – March 2015**

Year and quarter	Number of employers			Percent of employers	
	All employers, total	Regular employers	E-Verify Employer Agents (EEAs)	Regular employers	E-Verify Employer Agents (EEAs)
<b>FY 2008</b>					
Oct-Dec	12,885	12,411	474	96.3	3.7
Jan-Mar	25,081	23,861	1,220	95.1	4.9
Apr-June	28,865	27,479	1,386	95.2	4.8
July-Sept	33,184	31,545	1,639	95.1	4.9
<b>FY 2009</b>					
Oct-Dec	32,656	31,180	1,476	95.5	4.5
Jan-Mar	36,322	34,678	1,644	95.5	4.5
Apr-June	39,281	37,587	1,694	95.7	4.3
July-Sept	46,735	44,781	1,954	95.8	4.2
<b>FY 2010</b>					
Oct-Dec	51,718	49,609	2,109	95.9	4.1
Jan-Mar	57,355	55,179	2,176	96.2	3.8
Apr-June	63,897	61,513	2,384	96.3	3.7
July-Sept	68,261	65,734	2,527	96.3	3.7
<b>FY 2011</b>					
Oct-Dec	66,975	64,457	2,518	96.2	3.8
Jan-Mar	72,739	70,072	2,667	96.3	3.7
Apr-June	80,711	77,804	2,907	96.4	3.6
July-Sept	85,370	82,345	3,025	96.5	3.5
<b>FY 2012</b>					
Oct-Dec	85,003	81,933	3,070	96.4	3.6
Jan-Mar	100,886	97,096	3,790	96.2	3.8
Apr-June	109,764	105,591	4,173	96.2	3.8
July-Sept	110,771	106,536	4,235	96.2	3.8
<b>FY 2013</b>					
Oct-Dec	106,862	102,732	4,130	96.1	3.9
Jan-Mar	114,858	110,412	4,446	96.1	3.9
Apr-June	123,402	118,654	4,748	96.2	3.9
July-Sept	128,248	123,240	5,008	96.1	3.9
<b>FY 2014</b>					
Oct-Dec	116,899	112,259	4,640	96.0	4.0
Jan-Mar	126,457	121,397	5,060	96.0	4.0
Apr-June	133,373	128,050	5,323	96.0	4.0
July-Sept	133,929	128,527	5,402	96.0	4.0
<b>FY 2015</b>					
Oct-Dec	127,129	121,785	5,344	95.8	4.2
Jan-Mar	131,566	126,074	5,492	95.8	4.2

SOURCE: E-Verify Transaction Database.

**Table A-8. Number and percent of cases transmitted to E-Verify, by type of employer:  
October 2008 – March 2015**

Year and quarter	Number of employers			Percent of employers	
	All employers, total	Regular employers	E-Verify Employer Agents (EEAs)	Regular employers	E-Verify Employer Agents (EEAs)
<b>FY 2008</b>					
Oct-Dec	983,743	887,935	95,808	90.26	9.74
Jan-Mar	1,437,591	1,202,648	234,943	83.66	16.34
Apr-June	1,730,227	1,394,277	335,950	80.58	19.42
July-Sept	2,028,910	1,632,029	396,881	80.44	19.56
<b>FY 2009</b>					
Oct-Dec	1,799,697	1,370,006	429,691	76.12	23.88
Jan-Mar	1,753,458	1,383,714	369,744	78.91	21.09
Apr-June	2,163,770	1,690,604	473,166	78.13	21.87
July-Sept	2,488,549	1,894,992	593,557	76.15	23.85
<b>FY 2010</b>					
Oct-Dec	2,881,088	2,086,062	795,026	72.41	27.59
Jan-Mar	3,959,411	2,635,307	1,324,104	66.56	33.44
Apr-June	4,578,988	3,210,020	1,368,968	70.10	29.90
July-Sept	4,223,878	2,897,949	1,325,929	68.61	31.39
<b>FY 2011</b>					
Oct-Dec	3,690,922	2,370,120	1,320,802	64.21	35.79
Jan-Mar	3,695,735	2,476,981	1,218,754	67.02	32.98
Apr-June	4,453,420	2,997,826	1,455,594	67.32	32.68
July-Sept	4,772,237	3,262,788	1,509,449	68.37	31.63
<b>FY 2012</b>					
Oct-Dec	4,283,661	2,763,831	1,519,830	64.52	35.48
Jan-Mar	4,600,212	3,097,036	1,503,176	67.32	32.68
Apr-June	5,538,349	3,674,347	1,864,002	66.34	33.66
July-Sept	5,803,435	3,802,606	2,000,829	65.52	34.48
<b>FY 2013</b>					
Oct-Dec	5,356,600	3,272,696	2,083,904	61.10	38.90
Jan-Mar	5,272,456	3,360,846	1,911,610	63.74	36.26
Apr-June	6,431,190	4,039,798	2,391,392	62.82	37.18
July-Sept	6,873,290	4,254,879	2,618,411	61.90	38.10
<b>FY 2014</b>					
Oct-Dec	5,972,798	3,409,770	2,563,028	57.09	42.91
Jan-Mar	5,932,099	3,579,209	2,352,890	60.34	39.66
Apr-June	7,366,120	4,354,810	3,011,310	59.12	40.88
July-Sept	7,755,922	4,502,521	3,253,401	58.05	41.95
<b>FY 2015</b>					
Oct-Dec	7,094,588	3,841,237	3,253,351	54.14	45.86
Jan-Mar	6,594,747	3,777,021	2,817,726	57.27	42.73

SOURCE: E-Verify Transaction Database.

**Table A-9. Percent of E-Verify employers responding to the survey, by type of E-Verify user and company hiring pattern: 2015**

Type of E-Verify user and company hiring pattern	Percent	Standard error
<b>Type of E-Verify user</b>		
Uses E-Verify and intend to continue using it ( <i>current users</i> )	97.6	0.52
Previously used E-Verify but decided no longer to use it ( <i>prior users</i> )	2.1	0.52
Never used E-Verify ( <i>nonusers</i> )	0.3	0.08
<b>Hiring pattern of E-Verify company</b>		
Hires only seasonal workers	0.9	0.21
Hires only year-round workers	70.4	1.51
Hires both seasonal and year-round workers	28.7	1.51

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-10. Percent of E-Verify users reporting whether they are required to use E-Verify, by type of requirement: 2010, 2013, and 2015**

Mandated status	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>Federal, state, or local mandate</b>						
Required to use E-Verify	52.5	1.95	61.7	1.49	51.9	2.39
Not required to use E-Verify	35.8	1.55	26.0	1.34	32.3	2.03
Status unknown	11.7	1.34	12.3	0.99	15.8	1.45
<b>Federal mandate</b>						
Required to use E-Verify	26.1	1.45	34.2	1.84	22.2	1.38
Not required to use E-Verify	54.7	1.95	50.1	1.87	52.2	1.78
Status unknown	19.2	1.52	15.7	1.15	25.6	1.52
<b>State/local mandate</b>						
Required to use E-Verify	37.7	2.11	44.4	1.96	43.2	2.38
Not required to use E-Verify	42.0	1.56	35.0	1.52	26.5	1.60
Status unknown	20.3	2.05	20.7	1.87	30.4	2.14

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-11. Percent of E-Verify employers reporting how their companies first learned about E-Verify: 2010, 2013, and 2015**

Source of information	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>State or federal sources</b>						
Information from a state or local office	13.1	1.25	15.2	0.93	13.9	1.55
USCIS website	9.8	1.10	7.9	0.96	8.6	0.96
Other USCIS/SSA materials, publications, or presentations	8.2	1.28	6.3	0.87	5.5	1.06
USCIS Immigration and Customs Enforcement audit or visit	1.2	0.58	2.1	0.47	1.3	0.47
USCIS outreach event (e.g., E-Verify webinar, in-person presentation)	NA	NA	NA	NA	0.3	0.10
<b>Other sources/Don't know</b>						
Request from client to participate	11.4	1.00	14.4	1.27	9.2	0.96
Information from a business/professional organization	12.8	0.98	11.1	1.05	8.3	0.90
Heard about it from other companies	4.5	1.12	6.3	0.87	7.6	1.15
Media coverage	8.8	0.88	5.8	1.07	2.2	0.43
Other sources	11.0	1.20	7.5	0.90	7.6	1.01
Don't know	19.2	1.25	23.4	1.40	35.5	1.41

NA = Not available; question was not asked in 2010 and 013.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-12. Percent of E-Verify employers reporting their main reason for using E-Verify: 2013 and 2015**

Main reason	2013		2015	
	Percent	Standard error	Percent	Standard error
State or local government required participation	28.6	1.89	30.5	1.70
Federal government required participation	32.2	2.28	21.4	1.69
To improve ability to confirm work authorization	22.0	1.32	28.0	1.93
To satisfy a client's request	9.2	1.11	8.4	1.05
Believed that using E-Verify would allow us to avoid a US Immigration and Customs Enforcement (ICE) audit or visit	3.9	0.65	5.4	1.29
Trusted recommendation from someone at another company or organization	2.5	0.79	0.7	0.25
Believed it would make us more competitive with others in our industry	0.8	0.37	2.8	0.78
Other reason	0.8	0.31	2.8	1.08

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2013 and 2015.

**Table A-13. Percent of E-Verify users reporting whether they agree with positive statements about E-Verify's overall effectiveness: 2015**

Statement	Agree		Disagree	
	Percent	Standard error	Percent	Standard error
E-Verify is highly accurate	96.3	0.57	3.7	0.57
E-Verify is an effective tool	96.0	0.65	4.0	0.65

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-14. Percent of E-Verify users reporting whether they agreed with statements about the impact of E-Verify on reducing unauthorized employment: 2008, 2010, 2013, and 2015**

Statement	2008		2010		2013		2015	
	Percent	Standard error						
<b>Number of unauthorized job applicants decreased</b>								
Agree	25.1	3.40	20.1	1.36	19.4	1.22	19.1	1.29
Disagree	56.7	3.92	51.5	2.10	52.8	1.87	48.3	1.87
Not applicable	18.2	2.58	28.4	2.05	27.8	1.76	32.6	1.59
<b>Existing employees were fired</b>								
Agree	NA	NA	5.8	0.79	5.2	0.67	4.8	0.67
Disagree	NA	NA	70.4	2.15	73.8	1.48	72.2	1.57
Not applicable	NA	NA	23.8	3.25	21.1	1.32	23.0	1.58
<b>Existing employees choose to leave</b>								
Agree	8.9	2.12	3.8	0.53	4.4	0.57	5.3	0.82
Disagree	70.9	3.99	73.3	2.70	75.3	1.25	72.9	1.72
Not applicable	20.2	3.21	22.9	1.98	20.4	1.25	21.8	1.40

NA = Not available; question was not asked in 2008.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-15. Among E-Verify users with workers receiving Tentative Nonconfirmations (TNCs), percent reporting how often the workers responded in various ways to the TNC: 2008, 2010, 2013, and 2015**

Actions	2008		2010		2013		2015	
	Percent	Standard error						
<b>Employees with TNCs plan to contest</b>								
Always	24.4	2.00	22.4	2.10	25.6	3.20	17.5	2.56
Often	18.1	1.63	14.7	1.98	17.2	2.22	17.2	2.51
Sometimes	39.0	2.13	37.0	2.85	34.7	3.65	32.4	3.22
Never	11.2	1.76	16.6	2.35	15.8	2.36	25.7	3.98
Not applicable	7.3	1.18	9.3	1.97	6.8	2.23	7.2	2.06
<b>Employees with TNCs do not return to work</b>								
Always	5.2	0.91	10.0	1.35	8.3	1.59	8.9	2.36
Often	14.2	1.89	10.8	1.96	11.4	1.72	16.8	2.77
Sometimes	44.3	2.25	32.7	2.45	41.9	3.41	36.6	3.04
Never	26.0	1.88	31.9	2.79	26.6	3.96	27.7	2.82
Not applicable	10.4	1.30	14.7	2.44	11.8	2.35	10.1	2.55
<b>Employees with TNCs quit before being informed</b>								
Always	0.6	0.42	1.6	0.56	1.0	0.51	1.3	0.53
Often	3.1	1.03	1.5	0.98	2.5	0.92	4.7	1.50
Sometimes	26.5	2.03	23.2	2.35	21.9	2.18	27.3	2.68
Never	56.7	2.46	55.7	2.88	57.8	2.67	54.5	3.21
Not applicable	13.1	1.75	18.1	2.25	16.8	2.67	12.1	2.53

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-16. Among E-Verify users with workers receiving Tentative Nonconfirmations (TNCs), percent reporting how often they fired workers with TNCs without telling them about the finding: 2008, 2010, 2013, and 2015**

Actions	2008		2010		2013		2015	
	Percent	Standard error						
Always	0.1	0.06	#	#	#	#	0.1	0.06
Often	0.1	0.14	#	#	#	#	0.1	0.04
Sometimes	0.0	0.05	0.1	0.07	0.2	0.08	1.6	1.58
Never	95.6	0.96	90.2	2.08	90.3	2.10	89.5	2.79
Not applicable	4.1	0.89	9.7	2.09	9.5	2.10	8.7	2.55

# Rounds to zero.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-17. Among E-Verify users with workers receiving Tentative Nonconfirmations (TNCs), percent reporting whether they agreed with statements about adverse actions taken towards workers receiving TNCs: 2015**

Statement	Agree		Disagree	
	Percent	Standard error	Percent	Standard error
Work assignments restricted	30.4	3.46	69.6	3.46
Training is delayed	25.7	3.40	74.3	3.40
Pay is reduced	4.3	1.84	95.7	1.84

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-18. Percent of E-Verify users reporting whether their company was now more or less willing to consider hiring job applicants who appear to be foreign-born than it was prior to using E-Verify: 2008, 2010, 2013, and 2015**

Willingness	2008		2010		2013		2015	
	Percent	Standard error						
More willing	14.7	1.08	8.3	1.07	8.7	0.94	9.4	1.14
Less willing	2.1	0.53	2.7	0.67	2.5	0.50	2.0	0.52
Neither more nor less willing	71.4	1.35	76.0	1.62	75.3	1.44	69.1	1.55
Don't know	11.9	1.13	13.0	1.23	13.6	1.30	19.5	1.33

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-19. Percent of E-Verify users reporting whether they agreed with statements about meeting E-Verify requirements, and among those with workers receiving Tentative Nonconfirmations (TNCs), percent reporting whether they agreed with statements about processing TNCs: 2015**

Statement	Agree		Disagree	
	Percent	Standard error	Percent	Standard error
<b>All E-Verify users:</b>				
It is impossible to fulfill all requirements in E-Verify	13.6	1.59	86.4	1.59
It is sometimes impossible to submit information required by deadline	45.4	2.00	54.6	2.00
<b>E-Verify users with workers receiving TNCs reporting:</b>				
Providing assistance to employees who contest TNCs is excessive burden to staff	18.9	2.95	81.1	2.95
Establishing work authorization has become a burden because there are so many TNCs	3.2	1.65	96.8	1.65

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-20. Among E-Verify users reporting difficulty with E-Verify submission deadline, percent reporting which situation presented the most difficulty and percent indicating the number of days they would like to have for the deadline: 2015**

Situation	Percent	Standard error
<b>Situation presenting the most difficulty with deadline</b>		
Having to wait for Social Security numbers	46.3	3.11
Having too many new hires	14.7	2.51
Experiencing technical problems in submitting the cases	6.6	1.69
Having an audit reveal that the case was not run	4.5	1.25
Having too many seasonal workers	3.6	0.84
Having to verify an existing worker because we are a federal contractor	1.0	0.84
Other situation	23.3	2.53
<b>Number of days would like for submission deadline</b>		
Four days	0.9	0.31
Five days	19.7	3.10
Six days	3.0	0.81
A week	52.1	3.74
More than a week	24.4	3.24

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-21. Percent of E-Verify users reporting whether overall costs of setting up or maintaining E-Verify were a problem for the company: 2015**

Company characteristic	Yes, cost was a problem		No, cost was not a problem		Don't know	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
Overall cost of setting up E-Verify	2.1	0.48	72.5	1.37	25.4	1.42
Overall cost of maintaining E-Verify	0.9	0.27	81.3	1.33	17.8	1.38

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-22. Percent of E-Verify users reporting whether they agreed with statements about the perceived impact of E-Verify on company: 2008, 2010, 2013, and 2015**

Statement	2008		2010		2013		2015	
	Percent	Standard error						
<b>The number of work-authorized persons who applied for jobs decreased because E-Verify was used</b>								
Agree	14.0	2.79	5.6	0.98	6.3	0.63	7.3	0.97
Disagree	64.2	3.20	72.1	2.24	71.2	1.44	66.6	2.17
Not applicable	21.8	3.36	22.4	1.69	22.5	1.38	26.2	1.77
<b>Qualified workers were difficult to recruit because E-Verify was used</b>								
Agree	5.8	1.34	5.6	0.59	4.5	0.57	4.7	0.56
Disagree	75.9	2.38	76.1	1.66	78.1	1.16	74.9	1.60
Not applicable	18.3	2.61	18.3	1.45	17.3	1.26	20.4	1.35
<b>Using E-Verify damaged the employee-management relationship</b>								
Agree	2.3	1.08	1.3	0.54	1.4	0.79	1.4	0.41
Disagree	79.3	2.49	80.7	1.65	81.0	1.18	78.8	1.65
Not applicable	18.4	2.85	18.0	1.86	17.6	1.18	19.7	1.59
<b>Using E-Verify created a competitive advantage for this company</b>								
Agree	26.0	2.95	18.0	1.26	16.8	1.38	17.1	1.37
Disagree	36.6	2.91	53.2	2.25	57.0	2.24	49.9	2.02
Not applicable	37.3	3.90	28.9	2.56	26.2	1.67	33.0	1.56
<b>Using E-Verify caused this company to be less competitive</b>								
Agree	3.4	1.53	2.6	1.05	2.4	0.45	2.5	0.53
Disagree	65.5	3.84	74.0	1.65	74.7	1.68	69.9	1.95
Not applicable	31.1	3.77	23.4	1.85	23.0	1.61	27.6	1.90

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-23. Percent of survey respondents reporting whether they completed the E-Verify tutorial and among companies with multiple users, percent reporting whether other users completed the tutorial and whether they shared IDs: 2008, 2010, 2013 and 2015**

Tutorial and user IDs	2008		2010		2013		2015	
	Percent	Standard error						
<b>Survey respondents completed tutorial</b>								
Yes	84.5	0.89	87.8	1.00	87.4	1.09	94.4	0.70
No	12.0	0.82	9.8	0.93	9.3	0.83	3.9	0.71
Don't know	3.4	0.59	2.4	0.48	3.3	0.71	1.7	0.41
<b>Among companies with multiple E-Verify users:</b>								
<b>Other users completed tutorial</b>								
All other users	78.3	1.54	67.9	1.05	76.0	2.32	84.7	1.69
Some other users	13.2	1.27	21.9	1.56	16.4	2.09	10.6	1.36
No users	8.5	1.42	10.2	0.89	7.7	1.34	4.7	1.34
<b>Users shared IDs</b>								
Yes	11.2	1.23	12.2	1.35	13.4	2.23	11.9	1.95
No	88.8	1.23	87.9	1.54	86.6	2.23	88.1	1.95

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-24. Percent of E-Verify users reporting when E-Verify was used to confirm employment eligibility, by type of worker verified: 2010, 2013, and 2015**

Types of workers verified	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>Current E-Verify users</b>						
All new hires	95.3	0.72	97.1	0.38	97.1	0.81
Existing employees hired prior to E-Verify	15.1	1.19	19.8	1.68	23.7	1.47
Existing employees believed to be not authorized	8.0	1.99	8.7	1.53	10.5	1.15
Other types	1.2	0.54	2.2	0.57	2.2	0.43
<b>Current E-Verify users with federal mandate</b>						
All new hires	93.7	1.25	96.5	0.54	97.3	1.20
Existing employees hired prior to E-Verify	30.5	3.24	30.7	2.16	39.8	3.80
Existing employees believed to be not authorized	10.6	3.12	8.7	1.41	10.9	3.18
Other types	1.8	0.89	2.8	0.74	2.5	0.67
<b>Current E-Verify users with no federal mandate</b>						
All new hires	95.8	0.87	97.4	0.62	97.3	0.77
Existing employees hired prior to E-Verify	9.5	1.56	14.1	2.04	16.9	1.64
Existing employees believed to be not authorized	6.9	1.85	8.8	2.07	8.6	1.62
Other types	0.6	0.99	1.6	0.91	2.2	0.73

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-25. Percent of E-Verify users reporting when E-Verify is *typically* used to confirm employment eligibility: 2008, 2010, 2013 and 2015**

When E-Verify is typically used	2008		2010		2013		2015	
	Percent	Standard error						
Prescreen	3.8	1.82	9.3	2.00	9.1	1.06	8.8	1.13
Within 3 days of hire	91.7	2.14	83.2	1.65	86.0	1.29	83.9	1.52
More than 3 days or other times	4.5	1.04	7.6	0.87	4.9	0.62	7.3	0.70

NOTE: Sum may not add to 100 percent because of rounding. Prescreening occurs when an employer verifies workers before a job offer is made and accepted.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-26. Percent of E-Verify users reporting whether they used Photo Matching and among those using Photo Matching, percent reporting whether it influenced the types of documents requested from workers: 2008, 2010, 2013, and 2015**

Photo Matching use	2008		2010		2013		2015	
	Percent	Standard error						
<b>Use Photo Matching</b>								
Yes	42.4	1.45	37.8	1.70	51.8	2.16	50.7	2.02
No	44.1	1.88	52.7	1.84	40.9	1.92	39.5	2.23
Don't know	13.5	1.23	9.5	1.15	7.3	1.03	9.9	1.37
<b>If used Photo Matching:</b>								
<b>It has influenced the types of documents requested from workers</b>								
Yes	NA	NA	NA	NA	10.8	1.75	7.8	1.17
No	NA	NA	NA	NA	86.0	1.73	89.5	1.28
Don't know	NA	NA	NA	NA	3.15	0.67	2.6	0.53

NA = Not available; question was not asked in 2008 and 2010.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-27. Among E-Verify users that used Photo Matching, percent reporting how they used it, and how often, to confirm the identity of workers: 2015**

Photo Matching use	Always		Often		Sometimes		Never	
	Percent	Standard error	Percent	Standard error	Percent	Standard error	Percent	Standard error
Compare the picture provided in the E-Verify Photo Matching response to the picture on the document the worker provided	78.3	2.18	8.2	1.40	12.4	2.10	1.0	0.56
Compare the picture provided in the E-Verify Photo Matching response to the person	60.7	2.99	9.3	1.20	16.0	1.93	14.0	1.89
Compare the picture on the document the worker provided to the person	70.0	2.48	9.0	1.32	11.1	2.09	9.9	1.87

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-28. Percent of E-Verify users reporting how often they had duplicate case alerts and among those with duplicate case alerts, percent reporting their actions in response to the alert: 2015**

Duplicate case alerts and responses	Percent	Standard error
<b>How often had duplicate alert</b>		
Often	1.9	0.60
Sometimes	6.0	0.71
Rarely	21.7	1.37
Never	70.4	1.44
<b>Response if had duplicate alert</b>		
<b>Closed the case because it was created in error</b>		
Yes	74.4	2.68
No	25.6	2.68
<b>Viewed the case details and closed the case because the incorrect information could not be updated</b>		
Yes	42.7	3.65
No	57.3	3.65
<b>Viewed the case details, checked or edited the information, and clicked continue</b>		
Yes	64.3	2.78
No	35.7	2.78
<b>Clicked continue without viewing the case details</b>		
Yes	8.2	1.49
No	91.8	1.49

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-29. Percent of E-Verify users reporting how often workers provided email addresses and, if email address was provided, percent reporting how often they submitted this information to E-Verify: 2015**

<b>E-mail addresses provided and submitted</b>	<b>Percent</b>	<b>Standard error</b>
<b>How often workers provided email addresses</b>		
Usually	22.4	1.52
Sometimes	26.7	1.78
Rarely	34.0	1.64
Never	17.0	1.39
<b>If email address was provided, how often employers submitted information</b>		
Always	35.0	1.73
Often	5.7	1.03
Sometimes	12.8	1.66
Never	46.6	2.01

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-30. Percent of E-Verify users reporting any Tentative Nonconfirmations (TNCs) because of a data entry error when entering the I-9 information into E-Verify, and among those employers, percent reporting how they *typically* correct the error when found: 2008, 2010, 2013, and 2015**

TNC data entry errors and responses	2008		2010		2013		2015	
	Percent	Standard error						
<b>Had TNC due to data entry errors</b>								
Yes	42.4	2.20	20.2	1.38	24.2	1.62	23.8	1.78
No	45.0	2.11	61.0	1.80	59.2	1.80	54.7	1.97
Don't know	12.7	1.19	18.8	1.48	16.7	1.48	21.5	2.18
<b>If had data entry error TNC, how respond:</b>								
Close original case as invalid entry and enter corrected information as new case	72.0	2.40	78.6	2.81	72.8	3.03	60.1	3.53
Submit case as revision of original case when prompted by the system	20.2	2.36	17.1	2.57	17.7	2.35	29.8	3.82
Enter the correct information as new case but do not close original case as invalid entry	5.2	0.93	1.9	0.52	4.4	1.68	7.1	2.15
Other response	2.6	0.80	2.3	1.44	5.1	1.91	3.0	1.03

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-31. Percent of E-Verify users reporting whether they had Tentative Nonconfirmations (TNCs) that were NOT due to data entry errors: 2008, 2010, 2013, and 2015**

Statement	2008		2010		2013		2015	
	Percent	Standard error						
<b>Had TNC that was NOT due to data entry errors</b>								
Yes	38.3	1.81	27.8	1.53	20.8	1.27	19.0	1.36
No	51.0	1.86	57.1	1.80	59.4	1.76	59.8	1.70
Don't know	10.7	1.06	15.1	1.78	19.8	1.76	21.1	1.85

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-32. Among E-Verify users that used the Further Action Notice (FAN), percent reporting how often the company followed the rules for using it: 2015**

Rule	Always		Not always/never		Not applicable	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
Discuss Further Action Notice privately with workers	99.3	0.30	0.4	0.27	0.2	0.12
Sign Further Action Notice after workers sign it	92.8	2.13	1.3	0.39	5.9	2.14
Provide the worker with the Referral Date Confirmation	94.5	2.12	0.7	0.26	4.9	2.12
Keep a copy of workers' signed Further Action Notice	81.4	4.65	4.6	1.61	14.0	4.41
If needed, provide workers with translated version of Further Action Notice	74.9	4.37	2.6	1.10	22.5	3.87

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-33. Among E-Verify users that received any Tentative Nonconfirmations (TNCs), percent reporting how promptly they typically notify the worker: 2008, 2010, 2013, and 2015**

Period of time	2008		2010		2013		2015	
	Percent	Standard error						
A day or less	72.9	2.55	80.0	2.45	82.9	2.08	83.4	2.53
Within three days	24.7	2.44	15.6	2.34	14.5	1.97	12.4	2.22
Within a week	1.5	0.50	4.0	0.25	2.3	0.55	3.4	1.25
More than a week	0.2	0.16	0.2	0.80	0.04	0.03	0.1	0.04
Do not notify employees	0.7	0.54	0.2	0.39	0.2	0.15	0.7	0.70

NOTE: Less than 1 percent of employers reported that they did not inform workers about the TNC finding. Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-34. Among E-Verify users that received Final Nonconfirmations (FNCs), percent reporting how long a worker could remain on the job after receiving the FNC: 2010, 2013, and 2015**

Timeframe for remaining on job	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>Employment is terminated immediately</b>						
Yes, always	83.7	2.55	83.0	3.18	73.0	7.37
Yes, sometimes	7.3	1.34	8.3	2.20	13.7	6.56
No	6.8	1.98	7.2	2.53	8.0	2.82
Not applicable	2.2	1.05	1.5	0.40	5.3	4.05
<b>Workers' departure is linked to pay period</b>						
Yes, always	0.4	0.23	1.0	0.42	0.2	0.15
Yes, sometimes	2.1	0.65	1.8	0.58	9.7	6.38
No	90.3	2.09	90.1	2.52	72.4	6.52
Not applicable	7.3	1.98	7.1	2.33	17.7	5.16
<b>Workers' departure is timed to fall within a certain amount of time after FNC</b>						
Yes, always	1.8	0.76	2.9	2.05	3.7	2.13
Yes, sometimes	3.5	0.87	2.4	0.78	13.4	6.41
No	86.8	2.19	85.0	3.00	64.7	3.39
Not applicable	7.9	1.90	9.7	1.99	18.2	5.16

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-35. Percent of E-Verify users reporting whether they agreed with statements about their company's experience with the E-Verify enrollment process: 2008, 2010, 2013, and 2015**

Statement	2008		2010		2013		2015	
	Percent	Standard error						
<b>The online enrollment process was easy to complete</b>								
Agree	90.5	1.01	88.7	1.25	87.1	1.65	86.1	1.63
Disagree	6.2	0.95	7.9	1.03	6.5	0.84	4.1	1.04
Don't know/Not applicable	3.3	0.57	3.5	0.77	6.4	1.24	9.8	1.03
<b>The online enrollment process was too time-consuming</b>								
Agree	28.5	1.56	32.3	1.77	27.7	2.00	22.2	1.51
Disagree	67.0	1.70	63.3	1.84	64.3	2.14	63.7	1.95
Don't know/Not applicable	4.5	0.62	4.4	0.83	7.9	1.23	14.1	1.44

NOTE: Data for 2010 and 2008 may differ from previously published reports because cases with a "not applicable" response option were previously excluded in the calculation of percentages. Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-36. Percent of E-Verify users reporting whether they agreed with statements about their company's experience with the E-Verify Tutorial: 2008, 2010, 2013, and 2015**

Statement	2008		2010		2013		2015	
	Percent	Standard error						
<b>The content of the online tutorial was easy to understand</b>								
Agree	91.9	1.05	92.2	1.09	91.1	1.33	95.0	0.67
Disagree	5.5	0.86	4.4	0.79	3.6	1.05	1.6	0.46
Don't know/Not applicable	2.6	0.56	3.4	0.79	5.3	0.92	3.4	0.61
<b>The tutorial adequately prepared us to use the online verification system</b>								
Agree	92.4	1.06	93.1	1.02	92.6	0.99	95.3	0.73
Disagree	4.8	0.91	3.8	0.72	2.1	0.43	1.4	0.42
Don't know/Not applicable	2.8	0.57	3.2	0.75	5.3	0.90	3.2	0.59
<b>The tutorial answers all of our questions about using the online verification system</b>								
Agree	87.0	1.21	87.3	1.33	87.3	1.46	91.5	0.98
Disagree	10.1	1.05	8.8	1.10	4.9	0.70	3.6	0.67
Don't know/Not applicable	3.0	0.58	3.9	0.84	7.8	1.11	4.9	0.81
<b>The tutorial takes too long to complete</b>								
Agree	40.0	1.58	46.5	1.92	34.5	1.73	32.2	1.88
Disagree	56.8	1.61	49.3	1.92	59.6	1.68	62.1	2.05
Don't know/Not applicable	3.2	0.59	4.2	0.85	5.9	0.80	5.7	1.08
<b>It is a burden to have to pass the Tutorial Knowledge Test (previously called the Mastery Test) before being allowed to use the online verification system</b>								
Agree	26.5	1.93	35.9	1.85	28.3	1.45	27.5	1.71
Disagree	70.3	1.94	59.8	1.89	65.6	1.51	67.2	1.91
Don't know/Not applicable	3.2	0.58	4.3	0.89	6.1	0.89	5.3	0.87

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-37. Percent of E-Verify users reporting the extent to which the E-Verify navigation system is user-friendly: 2008, 2010, 2013, and 2015**

User friendliness	2008		2010		2013		2015	
	Percent	Standard error						
Very user-friendly	64.3	1.86	57.6	1.89	61.6	1.97	68.8	1.98
Moderately user-friendly	32.7	1.66	40.3	1.68	35.8	1.83	30.0	2.03
Slightly user-friendly	2.2	0.64	1.4	0.78	1.9	0.58	1.2	0.38
Not at all user-friendly	0.8	0.43	0.7	0.24	0.7	0.42	0.1	0.35

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2008, 2010, 2013, and 2015.

**Table A-38. Percent of E-Verify users agreeing that they agreed with various statements about problems with using the E-Verify system: 2015**

Type of problem	Agree		Disagree	
	Percent	Standard error	Percent	Standard error
It is easy to make errors when entering employee information into the E-Verify system	23.5	1.60	76.5	1.60
We are sometimes unsure about how to enter certain types of names	37.1	1.91	62.9	1.91
E-Verify is not always available because the federal system is 'down'	11.7	1.46	88.3	1.46
E-Verify is not always available because our internet system is unreliable	11.0	1.36	89.0	1.36
System time-outs require us to re-enter information previously entered	21.6	1.55	78.4	1.55

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-39. Percent of E-Verify users reporting satisfaction with duplicate case alerts, Further Action Notices, and using E-Verify to confirm employment eligibility for seasonal workers: 2015**

Statement	Percent	Standard error
<b>How useful was the duplicate case alert</b>		
Very useful	52.3	4.10
Moderately useful	19.8	2.69
Slightly useful	19.5	2.81
Not at all useful	8.3	1.90
<b>How satisfied with Further Action Notice</b>		
Very satisfied	20.5	3.21
Satisfied	74.8	3.30
Unsatisfied	4.3	1.44
Very unsatisfied	0.3	0.14
<b>How easy to use E-Verify for seasonal workers</b>		
Very easy	44.1	3.54
Easy	40.3	3.37
Slightly easy	13.3	2.92
Not at all easy	2.3	0.79

SOURCE: National Survey of E-Verify Employers: 2015.

**Table A-40. Percent of E-Verify users reporting the helpfulness of resources and features that are provided as part of E-Verify: 2010, 2013, and 2015**

Resources and features	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>The online E-Verify User Manual</b>						
Helpful	68.5	1.80	58.8	1.64	55.8	2.07
Not helpful	4.1	0.81	4.6	0.78	3.7	0.83
Not Aware	2.4	1.56	4.5	1.26	7.5	1.03
Never used	25.0	2.22	32.1	1.90	33.1	2.00
<b>The online tutorial</b>						
Helpful	87.9	1.27	83.2	1.70	88.6	1.25
Not helpful	5.4	0.86	5.7	1.15	4.3	0.86
Not Aware	0.5	1.10	1.4	0.86	1.9	0.62
Never used	6.3	0.98	9.6	1.00	5.2	0.76
<b>Online webinars</b>						
Helpful	23.5	1.65	20.9	1.22	27.3	1.66
Not helpful	3.0	0.56	4.0	0.85	5.0	0.80
Not Aware	10.9	1.54	13.3	0.85	13.3	1.46
Never used	62.7	1.36	61.9	1.54	54.4	1.95
<b>Reports to monitor the status of employee cases</b>						
Helpful	67.1	1.81	54.3	2.13	61.4	1.72
Not helpful	3.4	0.73	3.6	0.60	3.5	0.80
Not Aware	1.2	0.96	4.4	0.60	6.3	0.80
Never used	28.3	1.98	37.8	1.54	28.8	1.94
<b>Reports to monitor our company's use of the system</b>						
Helpful	39.9	1.87	32.1	1.56	40.2	1.65
Not helpful	4.5	0.84	3.8	0.70	4.3	0.95
Not Aware	5.3	0.97	9.4	0.88	10.7	0.93
Never used	50.3	1.78	54.8	1.59	44.8	1.82
<b>Mouse-over features on data entry fields</b>						
Helpful	70.0	1.75	66.8	1.39	68.2	1.73
Not helpful	2.8	0.59	2.1	0.57	2.1	0.49
Not Aware	7.9	1.45	10.8	1.24	10.7	1.24
Never used	19.3	1.87	20.4	1.40	19.0	1.82
<b>E-Verify Quick Reference Guide</b>						
Helpful	NA	NA	NA	NA	51.5	2.50
Not helpful	NA	NA	NA	NA	1.5	0.36
Not Aware	NA	NA	NA	NA	9.2	1.15
Never used	NA	NA	NA	NA	37.9	1.87
<b>E-Verify Self-Assessment Guide</b>						
Helpful	NA	NA	NA	NA	39.0	1.87
Not helpful	NA	NA	NA	NA	3.5	0.55
Not Aware	NA	NA	NA	NA	13.0	1.20
Never used	NA	NA	NA	NA	44.5	1.84

NA = Not available; question was not asked in 2010 and 2013.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-41. Percent of E-Verify users that ever tried calling the E-Verify Technical Help Desk or the E-Verify Customer Service number, and among those employers, percent reporting the service that was called: 2010, 2013, and 2015**

Services	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>Ever tried calling the E-Verify Technical Help Desk or Customer Service number</b>						
Yes	32.2	1.75	32.2	1.70	26.7	1.61
No, did not know number to call	1.5	0.39	1.1	0.22	1.3	0.41
No, chose not to call	NA	NA	NA	NA	0.9	0.20
No, no need to call	63.8	1.81	64.1	1.90	68.5	1.69
Don't know	2.4	0.61	2.5	0.72	2.6	0.57
<b>If tried calling, tried to contact:</b>						
E-Verify Technical Help Desk number only	16.8	2.41	18.4	2.92	20.0	3.25
E-Verify Customer Service number only	26.8	2.72	34.1	2.68	35.5	3.28
Both the Technical Help Desk and the Customer Service numbers	22.7	2.79	17.3	2.35	14.9	3.65
Not sure which number	33.7	3.12	30.3	3.01	29.7	3.79

NA = Not available; Response option was not available in 2010 and 2013.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-42. Among E-Verify users that tried calling USCIS for the help desk or customer service, percent reporting satisfaction with their experience: 2010, 2013, and 2015**

Experience	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>Uncertain about which number contacted</b>						
Very satisfied	36.8	6.98	41.8	6.58	45.0	7.96
Satisfied	55.8	7.44	47.5	5.99	52.7	7.97
Unsatisfied	7.4	2.91	10.6	3.29	2.3	1.33
<b>Contacted the E-Verify Technical Help Desk</b>						
Very satisfied	53.0	5.44	53.8	5.99	65.1	6.78
Satisfied	41.5	5.87	35.3	5.88	31.1	5.83
Unsatisfied	5.5	1.45	11.0	4.78	3.8	2.13
<b>Contacted the E-Verify Customer Service number</b>						
Very satisfied	47.0	5.23	52.6	5.13	61.3	4.52
Satisfied	46.7	4.25	37.2	4.56	35.8	4.44
Unsatisfied	6.4	1.40	10.2	3.29	3.0	1.21

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-43. Among E-Verify users that reported dissatisfaction with contacting USCIS Technical Help Desk or customer service, percent reporting that they experienced various problems: 2010, 2013, and 2015**

Problem	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
I was given information that turned out to be incorrect	45.3	10.23	22.2	12.61	15.8	10.79
They were unable to answer my question	63.2	6.45	87.8	5.24	77.2	8.47
Their answer was hard to understand	49.5	5.26	62.4	16.10	5.4	3.96
They were rude or discourteous	18.9	4.65	45.3	17.37	4.4	3.25
I was unable to get through to a person	28.2	16.54	16.4	7.32	44.2	17.63
I was referred to another phone number to get help	51.7	20.15	29.2	12.31	24.7	21.61
I was given information that conflicted with another source	17.8	25.66	17.9	10.47	27.3	23.68

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-44. Among E-Verify users mandated to use E-Verify, percent reporting the likelihood of their company continuing to use E-Verify if no longer mandated: 2010, 2013, and 2015**

Likelihood	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
Very likely	36.2	2.46	36.5	2.20	44.1	2.50
Likely	25.4	2.32	23.8	1.99	22.5	2.80
Maybe	19.4	2.08	17.0	1.89	14.1	1.61
Unlikely	9.2	1.56	7.5	1.06	9.1	1.45
Very unlikely	9.8	1.54	15.2	1.57	10.3	1.75

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-45. Among mandated E-Verify users that reported being likely or unlikely to continue using E-Verify, percent reporting their company's reasons for this position: 2010, 2013, and 2015**

Reason	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>Reasons likely to continue using E-Verify</b>						
To improve our ability to confirm work authorizations	98.0	0.71	95.6	1.43	97.0	1.52
To possibly avoid a U.S. Immigration and Customs Enforcement (ICE) audit, raid, or fine	52.0	3.33	53.5	3.58	63.6	3.50
Our clients like that we use E-Verify	35.5	2.98	36.9	3.079	46.1	3.04
To remain more competitive with other companies in our industry	33.8	2.04	36.0	3.30	53.0	3.63
Other	2.9	1.04	6.1	2.58	11.3	3.14
<b>Reasons unlikely to continue using E-Verify</b>						
We seldom have any new hires	45.2	6.09	59.9	4.64	40.1	6.29
E-Verify is burdensome to use	51.4	6.19	44.8	6.33	50.0	7.01
Using E-Verify makes it difficult to attract qualified workers	9.5	2.51	8.2	3.58	7.8	3.05
Using E-Verify makes us less competitive with other companies in our industry	4.8	1.67	7.1	3.34	5.9	2.71
Financial costs outweigh benefits	NA	NA	NA	NA	5.2	6.29
Other	17.6	5.10	29.1	10.43	24.5	6.55

NA = Not available; question was not asked in 2010 or 2013.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-46. Among employers not currently using E-Verify, percent reporting why their company was not currently using it: 2010, 2013, and 2015**

Reason	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>The person who originally wanted to use E-Verify has left the company</b>						
Yes	7.0	1.28	6.4	2.93	14.9	7.76
No	72.3	2.85	82.3	3.39	81.2	8.10
Don't know/not applicable	20.7	2.69	11.3	2.12	3.9	1.62
<b>We decided it would be too burdensome to use the system</b>						
Yes	15.6	2.30	14.6	2.90	37.6	14.67
No	62.9	3.08	67.2	3.83	53.8	13.88
Don't know/not applicable	21.5	2.75	18.2	2.75	8.6	3.11
<b>We decided that there was a better way to improve our verification process</b>						
Yes	3.7	1.25	4.7	1.88	5.5	2.16
No	71.6	2.95	75.0	3.45	81.4	5.57
Don't know/not applicable	24.7	2.95	20.3	3.16	13.1	4.29
<b>We have had no new hires in the past 6 months</b>						
Yes	60.6	3.19	62.1	4.11	38.5	12.73
No	32.1	2.06	34.2	4.03	56.3	13.03
Don't know/not applicable	7.3	1.45	3.7	1.08	5.2	2.39
<b>Using E-Verify would reduce our number of job applicants</b>						
Yes	3.5	1.25	0.8	0.44	0.9	0.55
No	73.0	2.99	81.7	2.77	90.5	3.23
Don't know/not applicable	23.5	2.88	17.5	2.79	8.7	3.11
<b>Using E-Verify would result in the loss of some existing employees</b>						
Yes	1.1	0.59	0.4	0.34	0.8	0.53
No	76.2	2.87	82.6	2.78	91.4	3.26
Don't know/not applicable	22.7	2.84	17.0	2.78	7.9	3.15
<b>Using E-Verify would damage the employee/management relationship</b>						
Yes	1.1	0.84	0	0	0.3	0.26
No	76.6	2.85	82.3	3.10	92.9	2.83
Don't know/not applicable	22.2	2.79	17.7	3.11	6.7	2.80
<b>Using E-Verify would make us less competitive in the market place</b>						
Yes	1.7	0.99	0.5	0.35	2.4	1.43
No	75.8	2.89	79.4	3.06	90.7	3.38
Don't know/not applicable	22.5	2.82	20.1	3.06	7.0	2.83

**Table A-46. Among employers not currently using E-Verify, percent reporting why their company is not currently using it: 2010, 2013, and 2015 — continued**

Reason	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>The financial costs of using E-Verify outweigh the benefits of using it</b>						
Yes	NA	NA	NA	NA	10.0	4.09
No	NA	NA	NA	NA	79.7	6.27
Don't know/not applicable	NA	NA	NA	NA	10.3	3.96

NA = Not available; question was not asked in 2010 and 2013.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**Table A-47. Percent of E-Verify users reporting their opinion on recommendations for changes to E-Verify: 2010, 2013, and 2015**

Potential change	2010		2013		2015	
	Percent	Standard error	Percent	Standard error	Percent	Standard error
<b>Requiring all companies in the United States to use E-Verify</b>						
Support	65.6	1.85	63.1	2.01	71.3	1.61
Oppose	14.7	1.36	14.4	1.24	8.4	0.94
No opinion	19.7	1.59	22.4	1.87	20.3	1.57
<b>Eliminating the paper Form I-9</b>						
Support	46.9	1.92	50.0	1.74	45.3	1.93
Oppose	32.9	1.79	27.1	1.72	34.8	2.14
No opinion	20.1	1.54	23.0	1.42	19.9	1.70
<b>Including the ability to take and verify fingerprints</b>						
Support	24.6	1.65	24.1	1.71	25.1	1.93
Oppose	46.2	1.91	42.3	2.02	43.9	1.77
No opinion	29.3	1.76	33.6	2.14	31.0	2.02
<b>Increasing the types of documents that can be used with Photo Matching</b>						
Support	45.9	1.91	52.2	1.53	50.0	2.29
Oppose	10.4	1.07	12.6	1.33	13.7	1.21
No opinion	43.7	1.92	35.3	1.65	36.3	1.81
<b>Adding a formal appeal process that employers or their employees could use if they disagree with the final case finding</b>						
Support	48.8	1.92	47.2	1.82	47.4	1.95
Oppose	10.3	1.10	7.9	0.97	7.5	0.94
No opinion	41.0	1.89	44.9	2.08	45.1	2.06
<b>Allowing all companies to verify job applicants</b>						
Support	54.9	1.92	66.9	2.06	70.4	1.79
Oppose	20.3	1.53	10.6	1.12	6.6	0.81
No opinion	24.7	1.73	22.5	1.64	23.0	1.71
<b>Allowing employers that are not federal contractors to verify existing employees</b>						
Support	NA	NA	NA	NA	53.0	1.98
Oppose	NA	NA	NA	NA	6.5	0.90
No opinion	NA	NA	NA	NA	40.5	2.02

NA = Not available; question was asked differently in 2010 and 2013.

NOTE: Sum may not add to 100 percent because of rounding.

SOURCE: National Survey of E-Verify Employers: 2010, 2013, and 2015.

**APPENDIX B**  
**DESIGN OF E-VERIFY**

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## DESIGN OF E-VERIFY

E-Verify is a free program for employers to determine the employment eligibility of new hires by electronically comparing the information from a worker's Form I-9 with records available in the Social Security Administration (SSA) and/or U.S. Department of Homeland Security (DHS) databases to confirm identity and employment eligibility. As applicable, Form I-9 data may also be checked against databases from the Department of State (DOS) and participating state departments of motor vehicles (DMVs). E-Verify is voluntary for most employers but for some employers may be required as a condition of entering into federal contracts that contain the Federal Acquisition Regulation (FAR) E-Verify clause or as a condition of business or employment licensing or state contracting in states that have enacted E-Verify legislation. This appendix discusses the E-Verify Program that existed as of February 2015 and provides readers with the description of how E-Verify generally works for confirming employment eligibility.

### 1. Brief Overview of How E-Verify Works

Although E-Verify has several different steps and checkpoints, depending on the characteristics of cases (i.e., citizenship status, types of documents submitted in the Form I-9 process), E-Verify begins with employers inputting information from Form I-9 into E-Verify within three days of hire.<sup>1</sup> Immediately after employers submit this information, the Social Security Administration (SSA) database is checked automatically against the information for all cases.<sup>2</sup>

If the worker attests to being a U.S. citizen on Form I-9 and his or her Social Security number (SSN), name, and date of birth match SSA's records, the employer is immediately notified electronically through the E-Verify system that the worker is employment authorized.<sup>3</sup> In this situation, no further action is required on the part of workers, employers, or federal staff other than employers having to close these cases and retain the required verification information with their Form I-9 files.

If the worker attests to being a noncitizen on Form I-9 and the SSA database can confirm the information provided by the employer, the information is electronically checked against the DHS databases. If the worker information entered matches the information stored in DHS records and indicates that a noncitizen is work authorized, the employer is immediately notified electronically through the E-Verify system that the worker is employment authorized. In this situation, no further action is required on the part of workers, employers, or federal staff other than employers having to close these cases and retain the required verification information with their Form I-9 files.

If a TNC is issued due to, for example, a mismatch between the data entered by employers and data stored in government databases, employers are required to inform the worker of the TNC so the worker is given

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<sup>1</sup> Since June 2014, E-Verify has the ability to identify duplicate cases. A duplicate case is a case that contains the same Social Security number (SSN) as a previous case entered by the same employer. E-Verify alerts users when a case that contains the same SSN as an existing case is entered. This alert includes a pop-up alert when users enter a Social Security number that matches a case previously entered within the last 30 days.

<sup>2</sup> On November 18, 2013, Verification deployed a process to lock Social Security numbers (SSNs) suspected of fraudulent use in E-Verify. This enhancement helps combat identity fraud by identifying and deterring fraudulent use of SSNs for employment eligibility verification. There is no change in the E-Verify process for employers as a result of this enhancement.

<sup>3</sup> If the worker presents a U.S. passport or passport card or a driver's license or ID card from a Records and Information from DMVs for E-Verify (RIDE) participating state, there are additional processes that must occur prior to issuing the employment authorization response.

a chance to correct the discrepancy.<sup>4</sup> The employer is required to discuss the TNC with the worker in a private setting. When notified of the SSA and/or DHS TNC in writing, the employer must ask the worker whether he or she will or will not contest the finding. In either case, the employer must provide the worker with the Further Action Notice (FAN) and acknowledge his or her decision about the TNC. Workers choosing to contest an SSA TNC must visit an SSA field office within eight federal government working days to resolve the TNC. Workers choosing to contest a DHS TNC must contact DHS by phone within eight federal government working days from the date of referral to the appropriate agency. If a worker chooses not to contest or fails to contact SSA or DHS within eight federal government working days, E-Verify issues a Final Nonconfirmation (FNC) finding, and the employer may terminate the worker's employment.

## **2. Additional Steps in the E-Verify Process**

While the vast majority of workers' work authorizations are verified by the process described above, there are many additional steps and checkpoints that are activated for a variety of cases. Most of the additional steps and checkpoints are designed to reduce the likelihood of the workers receiving erroneous TNCs, or to help resolve TNCs. In the next section, those additional steps and checkpoints are discussed.

### **2.1 Pre-TNC Check**

The pre-TNC check was launched in September 2007. This check instantly prompts employers to review the submitted information to ensure that data entered are correct.

During the SSA verification process, if the SSA database does not match the worker information input by the employer, the system immediately asks the employer to recheck the data input (i.e., pre-SSA TNC check). This check works for both U.S. citizen and noncitizen cases. If the employer does not submit revised information or if the revisions are still inconsistent with the SSA database, an SSA TNC is issued. If the worker wishes to contest, he or she must visit an SSA field office to sort out the discrepancy.

During the DHS verification process, if the DHS databases are unable to match the worker information input by the employer, the system immediately asks the employer to recheck the data input (i.e., pre-DHS TNC check). If the employer does not submit revised information or if the revisions are still inconsistent with the DHS records, the E-Verify system issues the "Verification in Process" interim result where the case is automatically sent for review by a Management Program Assistant (MPA). The MPA searches other DHS databases to determine whether work authorization status can be confirmed using the additional information.

### **2.2 Photo Matching**

The Photo Matching process was implemented in September 2007 and permits employers to compare and confirm the photographs on worker documents submitted for verification with digital photographs stored in government databases. If the match is confirmed, the system provides an immediate response that the worker is employment authorized. Initially, this tool was only available for noncitizen cases with the permanent resident card (i.e., I-551) or Employment Authorization Document (i.e., I-766).

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<sup>4</sup> Starting in July 2013, if workers provide an email address on Form I-9 (which the employer must also enter into E-Verify) and the case results in a TNC, the E-Verify system also sends the workers an email message to alert them about the finding and instruct them to contact the employer. A reminder email with more detailed information is sent if the employer has referred the case but the worker has not taken any action.

In September 2010, the passport photograph for U.S. citizens was added as part of Photo Matching. If the photo displayed in the E-Verify system does not match the photo on the worker's U.S. passport or passport card, the worker will receive a DHS TNC and must be given the opportunity to resolve the problem. If the worker chooses to contest the TNC, the employer must either attach and electronically submit a copy of the worker's photo document or express mail a copy of the worker's document to DHS at the employer's expense.

### **2.3 U.S. Citizenship Confirmation (Naturalized Citizens and U.S. Passport Quick Check)**

Naturalization Phase I: Since May 2008, if a worker attests to being a U.S. citizen on Form I-9, and the SSA database verified the information, except for the citizenship status, the submitted information is checked against USCIS naturalization records. If USCIS databases can confirm the citizenship status, E-Verify issues a work-authorized finding. However, if neither SSA nor USCIS databases can confirm citizenship status, E-Verify issues an SSA TNC finding and the worker must go to an SSA field office to provide documentary proof of his or her citizenship status or call an MPA at USCIS to try to resolve the case.

U.S. Passport Quick Check: U.S. passport data are maintained in the Passport Information Electronic Records System (PIERS) by the Department of State, Consular Affairs. The Bureau of Consular Affairs electronically transfers data on passport issuance to Customs and Border Protection (CBP) for port of entry inspection purposes. Since 2009, CBP has made these data available to E-Verify to assist in confirming the U.S. citizenship of persons presenting U.S. passports or passport cards during the Form I-9 process. This process is invoked when the person claims to be a U.S. citizen and SSA is unable to confirm the citizenship status. If the person uses a U.S. passport or passport card during the Form I-9 process, then E-Verify automatically checks CBPPASS<sup>5</sup> in order to confirm U.S. citizenship. If the status is confirmed, then an employment authorization response is issued. If it is not confirmed, then an SSA TNC is issued.

### **2.4 Records and Information From DMVs for E-Verify (RIDE)**

The USCIS Verification Division developed a new enhancement to the E-Verify Program in June 2011. The Records and Information from departments of motor vehicle (DMVs) for E-Verify (RIDE) initiative is an enhancement to the E-Verify Program that verifies the validity of driver's license and ID card information by matching the data entered by employers against jurisdiction records. By partnering with the American Association of Motor Vehicle Administrators and state motor vehicle offices, USCIS leverages the existing driver status exchange system, Problem Driver Pointer System (PDPS), to confirm driver's license information against state records. Currently, Mississippi, Florida, Idaho, Iowa, Nebraska, North Dakota, and Wisconsin are participating in RIDE.

If a worker in one of the seven RIDE states, regardless of citizenship status, presents a driver's license, driver's permit, or state-issued ID card during the I-9 process, the employer is prompted to enter the document number and expiration into E-Verify, which will automatically check the information against Motor Vehicle Administration (MVA) records. Although the RIDE program does not display the driver's license photo, the system will check to see if the data itself is valid and issue a DHS TNC if it does not match DMV records. In the event of a TNC, the worker must contact an MPA and fax in a copy of his or her driver's license. The MPA will attempt to resolve the TNC by reviewing the faxed copy of the driver's license against the MVA database or by contacting MVA support for more information. If the MPA is unable to resolve the mismatch, the E-Verify system will issue an FNC.

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<sup>5</sup> System used by officers at the border to verify U.S. passports.

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**APPENDIX C**

**STATUS OF STATE LEGISLATION  
RELATED TO E-VERIFY: JANUARY 2016**

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Table C-1. Status of State Legislation Related To E-Verify: January 2016

State	2008 Requirement			2010 Requirement			2014 & 2015 Requirement			Notes
	State employees	State contractors	All employers	State employees	State contractors	All employers	State employees	State contractors	All employers	
Alabama							✓	✓	✓	
Arizona	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Colorado		✓			✓			✓		Public contractors must participate in either E-Verify or the Colorado Department of Labor and Employment Program.
Florida							✓	✓		
Georgia	✓	✓		✓	✓		✓	✓	✓	Private employers with 10 or fewer employees are exempt.
Idaho	✓	✓		✓			✓	✓		
Indiana							✓	✓		Private employers must use E-Verify to qualify for certain tax credits on their state income tax.
Louisiana							✓	✓		All private employers must either use E-Verify or retain copies of certain identity and work authorization documents.
Minnesota	✓	✓		✓	✓			✓		The previous legislation expired in 2011; new legislation no longer applies to new state employees and only to state contractors with \$50,000 worth of services.
Mississippi	✓	✓	✓ <sup>1</sup>	✓	✓	✓ <sup>1</sup>	✓	✓	✓	
Missouri				✓	✓		✓	✓		
Nebraska				✓	✓		✓	✓		Not mandated for private employers but there are tax incentives for private employers using E-Verify.

Table C-1. Status of State Legislation Related To E-Verify: January 2016—continued

State	2008 Requirement			2010 Requirement			2014 & 2015 Requirement			Notes
	State employees	State contractors	All employers	State employees	State contractors	All employers	State employees	State contractors	All employers	
North Carolina	✓			✓			✓	✓	✓	Private employers with fewer than 25 employees are exempt.
Oklahoma	✓	✓		✓	✓		✓	✓		
Pennsylvania							✓	✓		All public works contractors and subcontractors with contracts of \$25,000 or greater.
Rhode Island	✓	✓		✓	✓					E-Verify legislation repealed, effective January 5, 2011.
South Carolina							✓	✓	✓	
Tennessee							✓	✓	✓	All private employers must either use E-Verify or retain copies of certain identity and work authorization documents. Employers with fewer than 6 employees are exempt.
Texas							✓			Effective 2/19/2015. Also institutions of higher education.
Utah	✓			✓	✓	✓	✓	✓	✓	Private employers with fewer than 15 employees are exempt.
Virginia				✓			✓	✓		Required for public contractors with more than 50 employees in contracts worth more than \$50,000.

<sup>1</sup>For private employers, E-Verify implementation phased in by size.

SOURCE: Tracker Complete Compliance: E-Verify Laws by State, <http://www.trackercorp.com/everify-legislation-map.php>; LawLogix E-Verify Requirements Reference Chart, [http://www.fairus.org/legislation/E-Verify\\_Requirements\\_Dec.pdf](http://www.fairus.org/legislation/E-Verify_Requirements_Dec.pdf).

**APPENDIX D**

**STATISTICS ON IMPACT OF CHANGES IN  
SAMPLING METHODOLOGY**

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**Table D-1. Percent of employers agreeing with questionnaire statement: original 2008 statistic and revised 2008 statistic to include headquarters only**

Statement	2008 establishment statistic	Revised 2008 (headquarters only) statistic	Difference
The online registration process was easy to complete	93.6	93.1	0.5
The online registration process was too time-consuming	29.9	32.8	-2.9
The content of the online tutorial was easy to understand	94.3	95.3	-1.0
The tutorial adequately prepared us	94.9	95.5	-0.6
The tutorial answers all of our questions	89.4	91.4	-2.0
The tutorial takes too long to complete	41.3	44.9	-3.6
It is a burden to have to pass the mastery test	27.4	34.5	-7.1
It is easy for system users to obtain a lost or forgotten password	80.4	79.6	0.8
The available E-Verify system reports cover all of our reporting needs	93.0	95.1	-2.1
Overall E-Verify is an effective tool for employment verification	95.5	94.1	1.4
E-Verify reduces the chances of getting a mismatched SSA earnings letter	95.4	94.0	1.4
It is easy to make errors when entering employee information	27.7	23.5	4.2
Frequent technical assistance is required from the Help Desk to use the E-Verify Program	6.4	7.8	-1.4
At times it is impossible to submit the information required by the deadline	20.0	18.9	1.1
We believe E-Verify is highly accurate	91.4	90.0	1.4

NOTE: The statistics above use the original 2008 survey weights. The revised headquarter-only statistics were not reweighted to reflect the revised survey population.

SOURCE: National Survey of E-Verify Employers: 2008.

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**APPENDIX E**  
**2015 E-VERIFY EMPLOYER SURVEY<sup>1</sup>**

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<sup>1</sup> To view the questionnaires for the 2013, 2010, and 2008 surveys, please refer to *Findings of the E-Verify User Survey*, April 30, 2014 ([https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify\\_Native\\_Documents/Everify%20Studies/E-Verify\\_User\\_Survey\\_Report\\_April2014.pdf](https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/Everify%20Studies/E-Verify_User_Survey_Report_April2014.pdf)).

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# 2015 Survey of E-Verify Employers

Login Page:

## 2015 Survey of E-Verify Employers

To enter the 2015 Survey for E-Verify Evaluation, please type your User Name and Password in the boxes below, then click on **Login**.

User Login:	<input type="text"/>
Password:	<input type="password"/>
<input type="button" value="LOGIN"/>	<input type="button" value="RESET"/>

OMB # 1615-0126 Expires: 03-31-2016

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources and maintaining the data needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB number. Send comments regarding this burden of estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: Mr. Sunday Aigbe, Chief, Regulatory Products Division, U.S. Department of Homeland Security, 111 Massachusetts Avenue NW, 3<sup>rd</sup> Floor, Washington, DC 20529. **Do not return the completed form to this address.**

## 2015 Survey of E-Verify Employers

### Introduction:

The questions in this survey ask about your opinions and your experiences with how E-Verify works for your company. Your answers will be used to help us understand how well E-Verify is working and may lead to improvements in the Program.

**Privacy** – Your individual responses will not be shared with the Government nor will you be identified in any way to anyone not on Westat’s evaluation team.

**Your Answers** – This survey includes questions about employment verification at your company. The accuracy of your answers is very important to us. In completing the questions, please respond based on your company’s current practices and consider all of the business locations, branches, and divisions of your company as you answer questions. If there are any items that you are unable to answer, we would appreciate your obtaining the necessary information.

After submitting your completed survey, you will have an opportunity to print a copy of it for your records. If you have any questions about the survey, please call 1-888-292-9071 or send an email to [OKtoWorkSurvey@westat.com](mailto:OKtoWorkSurvey@westat.com).

Thank you for your help.

## SECTION A: Contact and Company Background Information

### (ALL COMPANIES)

**A1.** Please enter any corrections to the company address information listed below.

**[MOST RECENT COMPANY INFORMATION IS DISPLAYED BELOW]**

Company name: \_\_\_\_\_

Address: STREET \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

### PROGRAMMER NOTE:

**IF CORRECTED INFORMATION IS PROVIDED IN A1, THEN THE COMPANY'S NEW INFORMATION IS AUTOMATICALLY UPDATED IN THE SAMPLE MANAGEMENT SYSTEM (SMS). THUS, A NEW "COMPANY HISTORY RECORD" IS AUTOMATICALLY CREATED AND SAVED IN THE SMS.**

**ANY UPDATED COMPANY INFORMATION FROM EITHER THE SMS OR THE WEB SURVEY INSTANTLY BECOMES THE 'CURRENT COMPANY INFORMATION' AND WILL BE DISPLAYED IN A1 OF THE WEB SURVEY.**

### (ALL COMPANIES)

**A2.** This survey is designed to be completed by the person in your company who is most knowledgeable about your entire company's use of E-Verify. That person could be located at any company office and could operate as part of your company's human resources, security, or other services.

The following information was provided for the person who would be most appropriate to respond to this survey.

**[MOST RECENT CONTACT INFORMATION IS DISPLAYED BELOW]**

FIRST NAME \_\_\_\_\_ LAST NAME \_\_\_\_\_

JOB TITLE \_\_\_\_\_

**Is this the correct person to respond to the survey?**

*(Please choose only one response)*

- 1  Yes ..... **SKIP TO A4**  
 2  No ..... **ANSWER A3**  
 3  Don't know ..... **ANSWER A3**

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF A2 = '1' THEN SKIP TO A4]  
[ALL OTHERS, INCLUDING A2 = 'BLANK' ASK A3]

**(ALL COMPANIES IF NOT THE CORRECT CONTACT PERSON)**

**A3.** We would appreciate it if you provide the contact information for the person at your company who could best answer our questions about your hiring and work-authorization procedures. Please note that this information will only be used by Westat staff in case we need to contact the person.

**[NEW PERSON'S CONTACT INFORMATION]**

FIRST NAME \_\_\_\_\_ LAST NAME \_\_\_\_\_  
JOB TITLE \_\_\_\_\_  
FULL PHONE \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Extension \_\_\_\_\_  
EMAIL \_\_\_\_\_

**SKIP TO QUESTION A5.**

**PROGRAMMER NOTE:**

**IF A3 FIRST NAME OR LAST NAME IS 'BLANK' AND/OR Email IS 'BLANK' THEN SAY:**  
Thank you for your help. We have no further questions for you at this time. The information you have provided is appreciated.

**END**

**IF SURVEY ENDS:**

**IF ALL OF A3 IS 'BLANK' THEN THE CURRENT RESULT CODE BECOMES "98 - NEW R, NO DATA". DO NOT CREATE A NEW "RESPONDENT HISTORY RECORD". SAVE ALL WEB RESPONSES IN A SEPARATE DATA FILE; THEN CLEAR ALL ANSWERS FROM THE WEB SURVEY. THE CASE IS IN INTERIM STATUS AND WILL BE AVAILABLE FOR THE NEXT RESPONDENT LOGIN. THE NEXT LOGIN WILL START AT THE BEGINNING OF THE SURVEY.**

**IF NOT ALL OF A3 IS 'BLANK', AND (IF A3 FIRST NAME OR LAST NAME IS 'BLANK' AND/OR Email IS 'BLANK'), THEN THE CURRENT RESULT CODE BECOMES "70 - NEW RESPONDENT". A NEW "RESPONDENT HISTORY RECORD" IS CREATED IN THE SMS. THE RESPONDENT NUMBER WILL INCREMENT BY '1'. SAVE ALL WEB RESPONSES IN A SEPARATE DATA FILE; THEN CLEAR ALL ANSWERS FROM THE WEB SURVEY. THE CASE IS IN INTERIM STATUS AND WILL BE AVAILABLE FOR THE NEXT RESPONDENT LOGIN. THE NEXT LOGIN WILL START AT THE BEGINNING OF THE SURVEY. THE NEW RESPONDENT INFORMATION WILL BE DISPLAYED IN A2 AND A4.**

**IF SURVEY DOES NOT END:**

**A NEW "RESPONDENT HISTORY RECORD" IS CREATED IN THE SMS. THE RESPONDENT NUMBER WILL INCREMENT BY '1'. THE NEW RESPONDENT INFORMATION WILL BE DISPLAYED IN A2 AND A4.**

**SKIP TO QUESTION A5.**

**A4.** Please review the contact information provided below and enter any corrections.  
[MOST RECENT CONTACT INFORMATION IS DISPLAYED BELOW]

FIRST NAME \_\_\_\_\_ LAST NAME \_\_\_\_\_  
 JOB TITLE \_\_\_\_\_  
 FULL PHONE \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Extension \_\_\_\_\_  
 EMAIL \_\_\_\_\_

**PROGRAMMER NOTE:**

IF CORRECTED INFORMATION IS PROVIDED IN A4, A NEW “RESPONDENT HISTORY RECORD” IS CREATED IN THE SMS. THE RESPONDENT NUMBER WILL REMAIN THE SAME (NOT INCREMENT BY ‘1’). THE UPDATED RESPONDENT INFORMATION WILL BE DISPLAYED IN A2 AND A4 THE NEXT TIME THE SURVEY IS OPENED.

**(ALL COMPANIES)**

**A5.** Are you [RESPONDENT FIRST AND LAST NAME FROM A3 OR A4]?

*(Please choose only one response)*

- 1  Yes ..... ANSWER A6  
 2  No ..... STOP, SURVEY ENDS

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

IF A5 ≠ ‘1’, (INCLUDING A5 = ‘BLANK’, SAY:

Thank you for your help. We have no further questions for you at this time. The information you have provided is appreciated. IF NEW NAME GIVEN: We will email the login instructions to [RESPONDENT FIRST AND LAST NAME]

END

**PROGRAMMER NOTE:**

THE CURRENT RESULT CODE BECOMES “51 - NEW R, HAS DATA”. SAVE ALL WEB RESPONSES IN A SEPARATE DATA FILE; THEN CLEAR ALL ANSWERS FROM THE WEB SURVEY. THE CASE IS IN INTERIM STATUS AND WILL BE AVAILABLE FOR THE NEXT RESPONDENT LOGIN. THE NEXT LOGIN WILL START AT THE BEGINNING OF THE SURVEY.

ALSO, AN Email WILL BE SENT AUTOMATICALLY TO THE NEW RESPONDENT’S Email AS GIVEN IN A3 BY THE ORIGINAL/PREVIOUS RESPONDENT. THIS AUTO-GENERATED Email WILL BE THE WESTAT LETTER CONTAINING THE LOGIN INFORMATION AND THE USCIS LETTER. THE Email WILL BE SENT FROM THE PROJECT Email BOX AND ADDRESSED TO THE NEW RESPONDENT’S NAME GIVEN IN A3. THE PROJECT Email BOX WILL BE BLIND CC’d ON THESE AUTO-GENERATED Emails.

IF A5 = ‘1’, THEN GO TO A6.

**(ALL COMPANIES)**

**A6. Which description below best fits your company?**

*(Please choose only one response)*

- 1  Company with a single location
- 2  Company with offices or branches at multiple locations
- 3  Don't know

**(ALL COMPANIES)**

**A7. Is your company an E-Verify Employer Agent; i.e., a company that provides E-Verify and possibly other services to other companies for a fee? An E-Verify Employer Agent used to be called a Designated Agent or DA.**

*(Please choose only one response)*

- 1  Yes ..... **STOP, SURVEY ENDS**
- 2  No ..... **ANSWER A8**
- 3  Don't know ..... **ANSWER A8**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF A7 = '1' THEN GROUP = '1 DA' AND SHOW:]**

This survey is for companies that only use E-Verify for their own workers. Thank you for your help on this survey. The information you have provided is greatly appreciated.

**END**

**PROGRAMMER NOTE:**

**THE NEW RESULT CODE IS "DA – EV EMPLOYER AGENT" AND THE CASE IS LOCKED (FINAL).**

**(ALL COMPANIES)**

**A8. Does your company use an E-Verify Employer Agent; i.e., another company that provides E-Verify and possibly other services for a fee? An E-Verify Employer Agent used to be called a Designated Agent or DA.**

*(Please choose only one response)*

- 1  Yes ..... **STOP, SURVEY ENDS**
- 2  No ..... **ANSWER A9**
- 3  Don't know ..... **ANSWER A9**

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF A8 = '1' THEN GROUP = '1 UD' AND SHOW:]

This survey is for companies that use E-Verify themselves as opposed to having another company provide this service. Thank you for your help on this survey. The information you have provided is greatly appreciated.

END

PROGRAMMER NOTE:

THE NEW RESULT CODE IS "UD - USER OF EV EMPLOYER AGENT" AND THE CASE IS LOCKED (FINAL).

(ALL COMPANIES)

**A9. Which one of the following statements best describes your company's use of E-Verify?**

Note: Your answer here will determine which questions you will be asked as you go through the rest of this survey.

*(Please choose only one response)*

- 1  This company has never used E-Verify (**NEVER USED**)
- 2  This company has used E-Verify but has decided to no longer use it (**PRIOR USER**)
- 3  This company has used E-Verify and plans to continue using it in the future (**CURRENT USER**)

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF A9 = '1' THEN GROUP = '3 NEVER USED']

[IF A9 = '2' THEN GROUP = '4 PRIOR USER']

[ALL OTHERS, INCLUDING A9 = 'BLANK', GROUP = '5 OTHER']

(ALL COMPANIES)

**A10. Do the following statements describe your company?**

*(Please choose one response for each item)*

- |  | Yes                      | No                       |
|--|--------------------------|--------------------------|
| a. This company provides workers on <u>our payroll</u> to work at our clients' sites (e.g., our company is a Temporary Staffing agency)                              | <input type="checkbox"/> | <input type="checkbox"/> |
| b. This company refers job candidates for permanent placement to potential employers who may hire and pay them (e.g., our company is a Placement or Recruiting firm) | <input type="checkbox"/> | <input type="checkbox"/> |

**(ALL COMPANIES)**

**A11.** Is your company a Professional Employment Organization (PEO); i.e., does your company provide a range of human resources services to clients (e.g., benefits, payroll, training, worker compensation) for a fee?

*(Please choose only one response)*

- 1  Yes  
2  No

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF GROUP = '3 NEVER USED' OR GROUP = '4 PRIOR USER' THEN SKIP TO A13]  
[IF A6 = '1' OR A6 = '3' OR A6 = 'BLANK' THEN SKIP TO SECTION B]  
[OTHERWISE, ASK A12]**

**(ALL USERS WITH MULTIPLE LOCATIONS)**

**A12.** Which of the following best describes how your company uses E-Verify?

*(Please choose only one response)*

- 1  Headquarters handles all E-Verify submissions for all locations (i.e., all branches)  
2  One location, but not headquarters, handles all E-Verify submissions for all locations  
3  All locations use E-Verify, but not all submissions are done from a single location  
4  Individual locations may use or not use E-Verify at their own discretion  
5  Certain locations use E-Verify because of federal, state, or local mandates but it is not used company-wide  
6  Other (specify): \_\_\_\_\_

**LOGIC: IF "OTHER SPECIFY" IS CHECKED THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QA12, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QA12."

**SKIP TO SECTION B.**

**(NOT CURRENTLY USING E-VERIFY)**

<b>A13. Why isn't your company currently using E-Verify?</b> <i>(Please choose one response for each item)</i>		<b>Yes</b>	<b>No</b>	<b>Don't Know</b>
a.	The person who originally wanted to use E-Verify has left the company	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	We decided it would be too burdensome to use the system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	We decided that there was a better way to improve our verification process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	We have had no new hires in the past 6 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Using E-Verify would reduce our number of job applicants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Using E-Verify would result in the loss of some existing employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g.	Using E-Verify would damage the employee/management relationship	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h.	Using E-Verify would make us less competitive in the market place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i.	The financial costs of using E-Verify outweigh the benefits of using it	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j.	Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOGIC: IF "OTHER SPECIFY" IS ANSWERED "YES" THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QA13j, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QA13j."

## SECTION B: Implementing the E-Verify System

**(ALL COMPANIES)**

**B1. Have you personally completed the E-Verify online tutorial?**

*(Please choose only one response)*

- 1  Yes
- 2  No
- 3  Don't know

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

[IF GROUP = '3 NEVER USED' THEN SKIP TO SECTION C]  
[IF GROUP = '4 PRIOR USER' THEN SKIP TO SECTION C]  
[OTHERWISE, ASK B2]

**(ALL CURRENT USERS)**

**B2. Which staff members at your company who currently conduct verifications using E-Verify have completed the E-Verify online tutorial?**

*(Please choose only one response)*

- 1  I am the only user at this company..... **SKIP TO B4**
- 2  All of the other current users have completed the tutorial..... **ANSWER B3**
- 3  Some of the other current users have completed the tutorial ..... **ANSWER B3**
- 4  None of the other current users have completed the tutorial ..... **ANSWER B3**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

[IF B2 = '1' THEN SKIP TO B4]  
[ALL OTHERS, INCLUDING B2 = 'BLANK', ASK B3]

**(ALL CURRENT USERS IN COMPANIES WITH MULTIPLE USERS)**

**B3. Thinking about E-Verify system user IDs, at your company which of the following applies?**

*(Please choose only one response)*

- 1  All users have their own unique user IDs
- 2  Some users share a user ID

**(ALL CURRENT USERS)**

<b>B4. For each of the statements below, select the answer that best represents your company's experience with E-Verify enrollment process.</b>  <i>Enrollment refers to the <u>initial</u> process of signing up a company for E-Verify including signing the MOU, determining which access method to use, and providing company information. <b>Enrollment does not include taking the E-Verify tutorial or using E-Verify.</b></i>  <i>(Please choose one response for each item)</i>	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
a. The online enrollment process was easy to complete	<input type="checkbox"/>				
b. The online enrollment process was too time-consuming	<input type="checkbox"/>				

**(ALL CURRENT USERS)**

<b>B5. For each of the statements below, select the answer that best represents your company's experience with the E-Verify tutorial.</b>  <i>(Please choose one response for each item)</i>	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
a. The content of the online tutorial was easy to understand	<input type="checkbox"/>				
b. The tutorial adequately prepared us to use the online verification system	<input type="checkbox"/>				
c. The tutorial answers all of our questions about using the online verification system	<input type="checkbox"/>				
d. The tutorial takes too long to complete	<input type="checkbox"/>				
e. It is a burden to have to pass the Tutorial Knowledge Test (previously called the Mastery Test) before being allowed to use the online verification system	<input type="checkbox"/>				

**(ALL CURRENT USERS)**

<b>B6. For your company, how helpful are each of the following resources and features that are provided as part of the E-Verify system?</b> <i>(Please choose one response for each item)</i>	Very Helpful	Helpful	Not Very Helpful	Not At All Helpful	Not Aware of Item	Never Used Item
a. The online E-Verify User Manual	<input type="checkbox"/>					
b. The online tutorial	<input type="checkbox"/>					
c. Online webinars	<input type="checkbox"/>					
d. E-Verify Quick Reference Guide	<input type="checkbox"/>					
e. E-Verify Self-Assessment Guide	<input type="checkbox"/>					
f. Reports to monitor the status of employee cases	<input type="checkbox"/>					
g. Reports to monitor our company's use of the system and the use of individual users in our company	<input type="checkbox"/>					
h. Mouse-over features on data entry fields	<input type="checkbox"/>					
i. Any other features (specify): _____	<input type="checkbox"/>					

**LOGIC: IF “OTHER SPECIFY” IS CHECKED THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QB6, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed to the next question, OR
- Click ‘Cancel’ to enter the text in QB6.”

**(ALL CURRENT USERS)**

**B7. Thinking about system navigation and data entry, how user-friendly is the E-Verify system?**

*(Please choose only one response)*

- 1  Very user-friendly
- 2  Moderately user-friendly
- 3  Slightly user-friendly
- 4  Not at all user-friendly

**(ALL CURRENT USERS)**

**B8. Have you personally ever tried calling the E-Verify Technical Help Desk (800-741-5023) or the E-Verify Customer Service number (888-464-4218)?**

*(Please choose only one response)*

- 1  Yes ..... **ANSWER B9**
- 2  No, we had problems but did not know the number to call..... **SKIP TO SECTION C**
- 3  No, we had problems but chose not to call..... **SKIP TO SECTION C**
- 4  No, we have not had any need to call..... **SKIP TO SECTION C**
- 5  Don't know..... **SKIP TO SECTION C**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF B8 = '1' THEN ASK B9]**

**[ALL OTHERS, INCLUDING B8 = 'BLANK' SKIP TO SECTION C]**

**(CURRENT USERS WHO TRIED TO CALL HELP DESK/CUSTOMER SERVICE)**

**B9. Which service did you try to contact?**

*(Please choose only one response)*

- 1  E-Verify Technical Help Desk number (800-741-5023) only..... **ANSWER B10**
- 2  E-Verify Customer Service number (888-464-4218) only..... **SKIP TO B11**
- 3  Both the Technical Help Desk and the Customer Service numbers..... **ANSWER B10**
- 4  Not sure which number..... **SKIP TO B12**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF B9 = '1' OR B9 = '3' THEN ASK B10]**

**[IF B9 = '2' THEN SKIP TO B11]**

**[IF B9 = '4' THEN SKIP TO B12]**

**[ALL OTHERS, INCLUDING B9 = 'BLANK', SKIP TO SECTION C]**

**(CURRENT USERS WHO TRIED TO CALL HELP DESK)**

**B10.** Generally, how satisfied were you with your experience in contacting the E-Verify Technical Help Desk?

*(Please choose only one response)*

- 1  Very satisfied
- 2  Satisfied
- 3  Unsatisfied
- 4  Very unsatisfied

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF B9 = '2' OR B9 = '3' THEN ASK B11]  
[OTHERWISE, SKIP TO INSTRUCTIONS BEFORE B13]**

**(CURRENT USERS WHO TRIED TO CALL CUSTOMER SERVICE)**

**B11.** Generally, how satisfied were you with your experience in contacting the E-Verify Customer Service?

*(Please choose only one response)*

- 1  Very satisfied
- 2  Satisfied
- 3  Unsatisfied
- 4  Very unsatisfied

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF B9 = '4', THEN ASK B12]  
[OTHERWISE, SKIP TO INSTRUCTIONS BEFORE B13]**

**(CURRENT USERS WHO TRIED TO CALL BUT NOT SURE WHICH NUMBER)**

**B12.** Generally, how satisfied were you with your experience in contacting either the E-Verify Technical Help Desk or Customer Service?

*(Please choose only one response)*

- 1  Very satisfied
- 2  Satisfied
- 3  Unsatisfied
- 4  Very unsatisfied

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF B10 = '3' OR B10 = '4' OR B11 = '3' OR B11 = '4' OR B12 = '3' OR B12 = '4', THEN ASK B13]

[ALL OTHERS, INCLUDING B10, B11, AND B12 = 'BLANK', SKIP TO SECTION C]

**(CURRENT USERS WHO WERE UNSATISFIED WITH EITHER NUMBER)**

<b>B13.</b> Have you ever had any of the following problems with the E-Verify Technical Help Desk or the E-Verify Customer Service? <i>(Please choose one response for each item)</i>	Yes	No
a. I was given information that turned out to be incorrect	<input type="checkbox"/>	<input type="checkbox"/>
b. They were unable to answer my question	<input type="checkbox"/>	<input type="checkbox"/>
c. Their answer was hard to understand	<input type="checkbox"/>	<input type="checkbox"/>
d. They were rude or discourteous	<input type="checkbox"/>	<input type="checkbox"/>
e. I was unable to get through to a person	<input type="checkbox"/>	<input type="checkbox"/>
f. I was referred to another phone number to get help	<input type="checkbox"/>	<input type="checkbox"/>
g. I was given information that conflicted with another source (specify the other source): _____	<input type="checkbox"/>	<input type="checkbox"/>
h. Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>

LOGIC: IF "SPECIFY THE OTHER SOURCE" IS ANSWERED "YES" IN B13g THEN TEXT MUST BE ENTERED IN THE TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,

"You have answered QB13g, but you have not entered anything in the text box. Please specify your response.

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QB13g."

LOGIC: IF "OTHER SPECIFY" IS ANSWERED "YES" IN B13h THEN TEXT MUST BE ENTERED IN THE TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,

"You have answered QB13h, but you have not entered anything in the text box. Please specify your response.

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QB13h."

## SECTION C: Experiences with E-Verify

### (ALL COMPANIES)

#### C1. How did your company first learn about E-Verify?

*(Please choose only one response)*

- 1  USCIS website
- 2  Other USCIS or SSA materials, publications, or presentations
- 3  U.S. Immigration and Customs Enforcement (ICE) audit or visit
- 4  USCIS outreach event (e.g., E-Verify webinar, in-person presentation, etc.)
- 5  Information from a state or local office
- 6  Media coverage
- 7  Request from client to participate
- 8  Information from a business/professional association
- 9  Heard about it from other companies
- 10  Other (specify): \_\_\_\_\_
- 11  Don't know

**LOGIC: IF "OTHER SPECIFY" IS CHECKED THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QC1, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QC1."

### (ALL COMPANIES)

#### C2. Which of the following was the MAIN reason your company agreed to participate in E-Verify?

*(Please choose only one response)*

- 1  State or local government required participation
- 2  Federal government required participation
- 3  To satisfy a client's request
- 4  Believed that using E-Verify would allow us to avoid a U.S. Immigration and Customs Enforcement (ICE) audit, raid, or fine
- 5  To improve ability to verify work authorization
- 6  Believed it would make us more competitive with others in our industry
- 7  Trusted recommendation from someone at another company or organization
- 8  Other (specify): \_\_\_\_\_
- 9  Don't know

**LOGIC: IF “OTHER SPECIFY” IS CHECKED THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QC2, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed to the next question, OR
- Click ‘Cancel’ to enter the text in QC2.”

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF GROUP = ‘3 NEVER USED’ OR GROUP = ‘4 PRIOR USER’ THEN SKIP TO D21]  
[OTHERWISE, ASK C3]**

**(ALL CURRENT USERS)**

<b>C3. Please answer the following questions about your company’s current use of E-Verify.</b> <i>(Please choose one response for each item)</i>	Yes	No	Don’t Know
a. Our company has federal contract(s) requiring participation in E-Verify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Our company does business in a state or locality that requires participation in E-Verify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C3A = ‘1’ OR C3B = ‘1’ THEN ASK C4]  
[OTHERWISE, SKIP TO C8]**

**(CURRENT USERS REQUIRED TO USE E-VERIFY)**

**C4. If your company were no longer required to use E-Verify, how likely is it that you would continue to use it?**

*(Please choose only one response)*

- 1  Very likely ..... **ANSWER C5**
- 2  Likely ..... **ANSWER C5**
- 3  Maybe ..... **SKIP TO INSTRUCTIONS BEFORE C7**
- 4  Unlikely ..... **SKIP TO C6**
- 5  Very unlikely ... **SKIP TO C6**

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

- [IF C4 = '1' OR C4 = '2', THEN ASK C5]
- [IF C4 = '4' OR C4 = '5', THEN SKIP TO C6]
- [ALL OTHERS, INCLUDING C4 = 'BLANK', SKIP TO INSTRUCTIONS BEFORE C7]

**(CURRENT USERS REQUIRED TO USE E-VERIFY LIKELY TO CONTINUE)**

<b>C5. Why would you be likely to continue using E-Verify?</b> <i>(Please choose one response for each item)</i>	Yes	No	Don't Know
a. To possibly avoid a U.S. Immigration and Customs Enforcement (ICE) audit, raid, or fine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. To improve our ability to verify work authorizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. To remain more competitive with other companies in our industry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Our clients like that we use E-Verify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOGIC: IF "OTHER SPECIFY" IS ANSWERED "YES" IN C5e THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QC5e, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QC5e."

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

- [IF C4 = '4' OR C4 = '5', THEN ASK C6]
- [OTHERWISE, SKIP TO INSTRUCTIONS BEFORE C7]

**(CURRENT USERS REQUIRED TO USE E-VERIFY UNLIKELY TO CONTINUE)**

<b>C6. Why would you be unlikely to continue using E-Verify?</b> <i>(Please choose one response for each item)</i>	Yes	No	Don't Know
a. Using E-Verify makes it difficult to attract qualified workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. E-Verify is burdensome to use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Using E-Verify makes us less competitive with other companies in our industry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The financial costs of using E-Verify outweigh the benefits of using it	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. We seldom have any new hires	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOGIC: IF “OTHER SPECIFY” IS ANSWERED “YES” IN C6f THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QC6f, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed to the next question, OR
- Click ‘Cancel’ to enter the text in QC6f.”

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C3a = ‘1’ THEN ASK C7]  
[OTHERWISE, SKIP TO C8]**

**(CURRENT USERS REQUIRED TO USE E-VERIFY BECAUSE OF FEDERAL CONTRACTS)**

**C7. In response to the federal mandate, did you verify or are you verifying any of your existing employees who were working at your company prior to when the company began using E-Verify?**

*(Please choose only one response)*

- 1  Yes, but only those working on federal contracts requiring E-Verify
- 2  Yes, including existing employees who are not required to be verified (e.g., because they do not work on federal contracts)
- 3  No
- 4  Other (specify): \_\_\_\_\_

**LOGIC: IF “OTHER SPECIFY” IS CHECKED THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QC7, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed to the next question, OR
- Click ‘Cancel’ to enter the text in QC7.”

**(ALL CURRENT USERS)**

<b>C8. Please indicate your own perceptions related to the impact that E-Verify has had on your company.</b> <i>(Please choose one response for each item)</i>	Strongly Agree	Agree	Disagree	Strongly Disagree	Not Applicable
a. The number of work-authorized persons who applied for jobs decreased because E-Verify was used	<input type="checkbox"/>				
b. The number of unauthorized workers who applied for jobs decreased because E-Verify was used	<input type="checkbox"/>				
c. Qualified workers were difficult to recruit because E-Verify was used	<input type="checkbox"/>				
d. Using E-Verify resulted in some existing employees choosing to leave (e.g., resignation or retirement)	<input type="checkbox"/>				
e. Using E-Verify resulted in the firing or termination of some existing employees	<input type="checkbox"/>				
f. Using E-Verify damaged the employee- management relationship	<input type="checkbox"/>				
g. Using E-Verify created a competitive advantage for this company	<input type="checkbox"/>				
h. Using E-Verify caused this company to be less competitive	<input type="checkbox"/>				

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C8c = ‘1’ OR C8c = ‘2’ THEN ASK C9]  
[OTHERWISE, SKIP TO INSTRUCTIONS BEFORE C10]**

**C9.** How has using E-Verify made it harder for your company to recruit qualified workers?

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF C8g = '1' OR C8g = '2' THEN ASK C10]  
[OTHERWISE, SKIP TO INSTRUCTIONS BEFORE C11]

**C10.** How has using E-Verify created a competitive advantage for your company?

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF C8h = '1' OR C8h = '2' THEN ASK C11]  
[OTHERWISE, SKIP TO C12]

**C11. How has using E-Verify caused your company to be less competitive?**

**(ALL CURRENT USERS)**

<b>C12. Please consider each of the following statements related to E-Verify and select the response that best represents the experiences at your company.</b> <i>(Please choose one response for each item)</i>	Strongly Agree	Agree	Disagree	Strongly Disagree
a. It is impossible to fulfill all the requirements in the E-Verify verification process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Overall, E-Verify is an effective tool for employment verification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. We believe E-Verify is highly accurate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. It is easy to make errors when entering employee information into the E-Verify system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. We are sometimes unsure about how to enter certain types of names (e.g., single or long names and compound/hyphenated last names)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Frequent technical assistance is required from the Help Desk to use E-Verify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. At times it is impossible to submit the information required by the deadline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF C12g = '1' OR C12g = '2' THEN ASK C13]  
[OTHERWISE, SKIP TO INSTRUCTIONS BEFORE C16]

<b>C13.</b> Do the following situations make it difficult for your company to meet the E-Verify deadline for submitting cases within 3 days of hire? <i>(Please choose one response for each item)</i>	Yes	No
a. We have to wait for social security numbers	<input type="checkbox"/>	<input type="checkbox"/>
b. We experience technical problems in submitting the cases	<input type="checkbox"/>	<input type="checkbox"/>
c. An audit revealed that the case was not run	<input type="checkbox"/>	<input type="checkbox"/>
d. We are a federal contractor verifying an existing worker	<input type="checkbox"/>	<input type="checkbox"/>
e. We have too many new hires	<input type="checkbox"/>	<input type="checkbox"/>
f. We have too many seasonal workers	<input type="checkbox"/>	<input type="checkbox"/>
g. Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>

LOGIC: IF "OTHER SPECIFY" IS ANSWERED "YES" FOR C13g THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,

"You have answered QC13g, but you have not entered anything in the text box. Please specify your response.

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QC13g."

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF C12g = '1' OR C12g = '2' AND MORE THAN ONE "YES" RESPONSE IS PROVIDED IN C13a THROUGH C13g, THEN ASK C14]  
[OTHERWISE, SKIP TO INSTRUCTIONS BEFORE C15]

**C14. Which ONE of these situations presents the MOST difficulty for your company to submit cases within 3 days of hire?**

*(Please choose only one response)*

- 1  Having to wait for social security numbers
- 2  Experiencing technical problems in submitting the cases
- 3  Having an audit reveal that the case was not run
- 4  Having to verify an existing worker because we are a federal contractor
- 5  Having too many new hires
- 6  Having too many seasonal workers
- 7  Other (specify): \_\_\_\_\_

**LOGIC: IF “OTHER SPECIFY” IS CHECKED THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QC14, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed to the next question, OR
- Click ‘Cancel’ to enter the text in QC14.”

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C12g = ‘1’ OR C12g = ‘2’ THEN ASK C15]  
[OTHERWISE, SKIP TO C16]**

**C15. How many days would you like to have to submit this information?**

*(Please choose only one response)*

- 1  Four days
- 2  Five days
- 3  Six days
- 4  A week
- 5  More than a week (specify time): \_\_\_\_\_

**LOGIC: IF “OTHER SPECIFY” IS CHECKED THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QC15, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed to the next question, OR
- Click ‘Cancel’ to enter the text in QC15.”

**(ALL CURRENT USERS)**

**C16. Which of the following best describes your company’s hiring pattern?**

*Seasonal workers work full time or part time during limited times of the year (e.g., holiday season, summer).*

*Year-round workers work full time or part time throughout the year.*

*(Please choose only one response)*

- 1  Our company hires only seasonal workers
- 2  Our company hires year-round workers
- 3  Our company hires both seasonal and year-round workers

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C16 = ‘1’ OR C16 = ‘3’ THEN ASK C17]  
[OTHERWISE, SKIP TO C18]**

**(CURRENT USERS THAT HIRE SEASONAL WORKERS)**

**C17. How easy is it to use E-Verify for seasonal workers?**

*(Please choose only one response)*

- 1  Very easy
- 2  Easy
- 3  Slightly easy
- 3  Not at all easy

**(ALL CURRENT USERS)**

<b>C18. Consider each of the following statements related to E-Verify and select the choice that best represents the experiences at your company.</b> <i>(Please choose one response for each item)</i>	Strongly Agree	Agree	Disagree	Strongly Disagree
a. USCIS usually provides adequate training when introducing new program features	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. E-Verify is not always available because the federal system is 'down'	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. E-Verify is not always available because our Internet system is unreliable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. System time-outs require us to re-enter information previously entered	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. It is easy for system users to obtain a lost or forgotten password	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. The available E-Verify system reports cover all of our reporting needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**(ALL CURRENT USERS)**

**C19. Was the overall cost of setting up E-Verify any problem for your company?**

*Examples of setup costs include costs for initial training of E-Verify staff, computer hardware and Internet access, filing cabinets and other office equipment, and any other related costs.*

*(Please choose only one response)*

- 1  Yes ..... **ANSWER C20**
- 2  No ..... **SKIP TO C21**
- 3  Don't know ..... **SKIP TO C21**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C19 = '1' THEN ASK C20]  
 [OTHERWISE, SKIP TO C21]**

**(CURRENT USERS REPORTING SETTING UP COST WAS A PROBLEM)****C20. To what extent was the overall cost of setting up E-Verify a problem for your company?**

*We are interested in your general perceptions; no need to calculate costs.*

*(Please choose only one response)*

- 1  A slight extent
- 2  A moderate extent
- 3  A large extent
- 4  Don't know

**(ALL CURRENT USERS)****C21. Is the overall cost of maintaining E-Verify any problem for your company?**

*Examples of maintenance costs include costs for training of replacement E-Verify staff, wages for E-Verify staff, computer maintenance and Internet access, and any other related costs.*

*(Please choose only one response)*

- 1  Yes ..... **ANSWER C22**
- 2  No..... **SKIP TO C23**
- 3  Don't know..... **SKIP TO C23**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C21 = '1' THEN ASK C22]  
[OTHERWISE, SKIP TO C23]**

**(CURRENT USERS REPORTING MAINTENANCE COST IS A PROBLEM)****C22. To what extent is the overall cost of maintaining E-Verify a problem for your company?**

*We are interested in your general perceptions; no need to calculate costs.*

*(Please choose only one response)*

- 1  A slight extent
- 2  A moderate extent
- 3  A large extent
- 4  Don't know

**(ALL CURRENT USERS)**

**C23. E-Verify Photo Matching** allows you to compare the picture on the person’s Form I-9 documents to the one that is returned by E-Verify.

**Has your company ever used E-Verify Photo Matching?**

*(Please choose only one response)*

- 1  Yes ..... **ANSWER C24**
- 2  No ..... **SKIP TO C26**
- 3  Don’t know ..... **SKIP TO C26**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C23 = ‘1’ THEN ASK C24]  
[OTHERWISE, SKIP TO C26]**

**(CURRENT USERS USING PHOTO MATCHING)**

**C24. Has Photo Matching influenced the types of documents your company asks for during the verification process?**

*(Please choose only one response)*

- 1  Yes
- 2  No
- 3  Don’t know

**(CURRENT USERS USING PHOTO MATCHING)**

<b>C25. During the E-Verify <u>Photo Matching</u> process, how often does this company do the following?</b>		<b>Always</b>	<b>Often</b>	<b>Sometimes</b>	<b>Never</b>
<i>(Please choose one response for each item)</i>					
a.	Compare the picture provided in the E-Verify Photo Matching response to the person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Compare the picture provided in the E-Verify Photo Matching response to the picture on the document the worker provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Compare the picture on the document the worker provided to the person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOGIC: IF “OTHER SPECIFY” IS CHECKED THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QC25d, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed to the next question, OR
- Click ‘Cancel’ to enter the text in QC25d.”

**(ALL CURRENT USERS)**

**C26. Do you think that your company is more willing or less willing to consider hiring job applicants who appear to be foreign born now than it was prior to starting the use of E-Verify?**

*(Please choose only one response)*

*Note: Your responses will not be individually shared with the Government, nor will you be identified in any way to anyone not on Westat’s evaluation team.*

- 1  More willing..... **ANSWER C27**
- 2  Less willing ..... **SKIP TO C28**
- 3  Neither ..... **SKIP TO SECTION D**
- 4  Don’t know ..... **SKIP TO SECTION D**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF C26 = ‘1’ THEN ASK C27]**

**[IF C26 = ‘2’ THEN SKIP TO C28]**

**[OTHERWISE, SKIP TO SECTION D]**

**(CURRENT USERS RESPONDING ‘MORE WILLING’ TO C26)**

**C27. Why is your company more willing now to hire job applicants that appear to be foreign born?**

**(CURRENT USERS RESPONDING ‘LESS WILLING’ TO C26)**

**C28. Why is your company less willing now to hire job applicants that appear to be foreign born?**

## SECTION D: Verification Procedures

IF PLACEMENT OR RECRUITING FIRM [IF A10b is 'Yes']: "This section asks questions about your verification procedures for *your own employees, including internal staff and other employees on your payroll even if they are working off site or as temporary help for another company.*"

ALL OTHER TYPES: The following questions are about your verification procedures for *your employees*. Do NOT include information about employees working at your company who are from temporary help agencies or contractors. Do include employees on your payroll who work off site.

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

[IF GROUP = '3 NEVER USED' OR GROUP = '4 PRIOR USER' THEN SKIP TO D20]  
[OTHERWISE, ASK D1]

**(ALL CURRENT USERS)**

<b>D1. For which of the following does your company verify work authorization using E-Verify?</b> <i>(Please choose one response for each item)</i>	Yes	No	Not Applicable
a. All new hires	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Employees who started working for this company because of merger or buy-out	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Existing employees who worked at this company prior to when the company began using E-Verify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Existing employees with work authorizations that are about to expire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Existing employees not believed to be work authorized	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other types (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOGIC: IF "OTHER SPECIFY" IS ANSWERED "YES" FOR D1f THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QD1f, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QD1f."

**(ALL CURRENT USERS)****D2. When is E-Verify typically used to verify work authorization?***(Please choose only one response)*

- 1  Before a job offer is made
- 2  After a job offer but before the worker has accepted
- 3  After a job offer has been accepted but before the employee's first day of paid work
- 4  On the first day of paid work
- 5  On the second or third day of paid work
- 6  More than three days after starting paid work
- 7  Other times (specify): \_\_\_\_\_

**LOGIC: IF "OTHER SPECIFY" IS CHECKED THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QD2, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QD2."

**(ALL CURRENT USERS)****D3. How often would you say workers provide email addresses on their Form I-9?***(Please choose only one response)*

- 1  Usually..... **ANSWER D4**
- 2  Sometimes..... **ANSWER D4**
- 3  Rarely ..... **ANSWER D4**
- 4  Never ..... **SKIP TO D6**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF D3 = '4' THEN SKIP TO D6]**

**[ALL OTHERS, INCLUDING D3 = 'BLANK', ASK D4]**

**(ALL CURRENT USERS)**

**D4. If workers provide their email addresses on the Form I-9, how often do you submit that information to the E-Verify system when creating a case for the worker?**

*(Please choose only one response)*

- 1  Always ..... **SKIP TO D6**
- 2  Often..... **ANSWER D5**
- 3  Sometimes..... **ANSWER D5**
- 4  Never ..... **ANSWER D5**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF D4 = '2' OR D4 = '3' OR D4 = '4' THEN ASK D5]  
[ALL OTHERS, INCLUDING D4 = 'BLANK', SKIP TO D6]**

**(CURRENT USERS THAT DO NOT ALWAYS SUBMIT WORKERS' EMAIL ADDRESSES)**

**D5. Why don't you always submit the workers' email addresses to the E-Verify system?**

**(ALL CURRENT USERS)**

**D6. E-Verify has implemented a new feature to alert employers when they are creating a duplicate case (i.e., when the social security number of the current case matches a previously submitted case).**

**How often have you had a duplicate case alert when creating a case in E-Verify?**

*(Please choose only one response)*

- 1  Often..... **ANSWER D7**
- 2  Sometimes..... **ANSWER D7**
- 3  Rarely ..... **ANSWER D7**
- 4  Never ..... **SKIP TO D9**

THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.

[IF D6 = '1' OR D6 = '2' OR D6 = '3' THEN ASK D7]  
[ALL OTHERS, INCLUDING D6 = 'BLANK', SKIP TO D9]

**(CURRENT USERS THAT HAD A DUPLICATE CASE ALERT)**

**D7. Generally, how useful was the duplicate case alert?**

*(Please choose only one response)*

- 1  Very useful  
2  Moderately useful  
3  Slightly useful  
4  Not at all useful

**(CURRENT USERS THAT HAD A DUPLICATE CASE ALERT)**

**D8. When you received a duplicate case alert, how did you respond to it?**

*(Please choose one response for each item)*

	Yes	No
a. We closed the case because it was created in error	<input type="checkbox"/>	<input type="checkbox"/>
b. We viewed the case details and closed the case because the incorrect information could not be updated	<input type="checkbox"/>	<input type="checkbox"/>
c. We viewed the case details, checked or edited the information, and clicked continue	<input type="checkbox"/>	<input type="checkbox"/>
d. We clicked continue without viewing the case details	<input type="checkbox"/>	<input type="checkbox"/>
e. Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>

**LOGIC: IF "OTHER SPECIFY" IS ANSWERED "YES" FOR D8e THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QD8e, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QD8e."

**(ALL CURRENT USERS)**

**D9.** As far as you know, did your company receive any Tentative Nonconfirmation findings because of a data entry mistake when entering the I-9 information into E-Verify?

*(Please choose only one response)*

- 1  Yes ..... **ANSWER D10**
- 2  No ..... **SKIP TO D11**
- 3  Don't know ..... **SKIP TO D11**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF D9 = '1' THEN ASK D10]**

**[ALL OTHERS, INCLUDING D9 = 'BLANK', SKIP TO D11]**

**(CURRENT USERS IF HAD A DATA ENTRY TNC)**

**D10.** When a data entry error is found, how do you typically correct it?

*(Please choose only one response)*

- 1  We close the original case as an invalid query and enter the corrected information as a new case
- 2  We enter the corrected information as a new case but do not close the original case as an invalid query
- 3  We submit the case as a revision of the original case when prompted by the system
- 4  Other (specify): \_\_\_\_\_

**LOGIC: IF "OTHER SPECIFY" IS CHECKED THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QD10, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QD10."

**(ALL CURRENT USERS)**

**D11. Did your company have any Tentative Nonconfirmation findings that were NOT the result of data entry errors?**

*(Please choose only one response)*

- 1  Yes ..... **ANSWER D12**  
 2  No ..... **SKIP TO D20**  
 3  Don't know ..... **SKIP TO D20**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF D11 = '1' THEN ASK D12]**

**[ALL OTHERS, INCLUDING D11 = 'BLANK', SKIP TO D20]**

**(CURRENT USERS THAT HAD A TNC)**

**D12. On September 9, 2013, USCIS replaced the Tentative Nonconfirmation notice with the Further Action Notice.**

**Has your company used the Further Action Notice to process Tentative Nonconfirmations?**

*(Please choose only one response)*

- 1  Yes ..... **ANSWER D13**  
 2  No ..... **SKIP TO D15**  
 3  Don't know ..... **SKIP TO D15**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF D12 = '1' THEN ASK D13]**

**[ALL OTHERS, INCLUDING D12 = 'BLANK', SKIP TO D15]**

**(CURRENT USERS THAT USED THE FAN)**

**D13. Generally, how satisfied were you with your experience in using the Further Action Notice?**

*(Please choose only one response)*

- 1  Very satisfied  
 2  Satisfied  
 3  Unsatisfied  
 4  Very unsatisfied

**(CURRENT USERS THAT USED THE FAN)**

<b>D14. How often does your company do the following when using the Further Action Notice and Referral Date Confirmation</b> <i>(Please choose one response for each item)</i>	Never	Sometimes	Often	Always	Not Applicable
a. We discuss the Further Action Notice privately with workers	<input type="checkbox"/>				
b. If needed, we provide workers with a translated version of the Further Action Notice	<input type="checkbox"/>				
c. We create a new case without closing the old one if the information on the Further Action Notice is not correct	<input type="checkbox"/>				
d. After workers sign the Further Action Notice, we sign it	<input type="checkbox"/>				
e. When workers decide to contest the Tentative Nonconfirmation and sign the Further Action Notice, we keep a copy in their file	<input type="checkbox"/>				
f. We provide the worker with the Referral Date Confirmation	<input type="checkbox"/>				
g. We inform the worker that he/she has one month to contact the Social Security Administration or Department of Homeland Security	<input type="checkbox"/>				

**(CURRENT USERS THAT HAD A TNC)**

<b>D15. How often does each of the following situations apply to your company's use of E-Verify for persons receiving Tentative Nonconfirmations?</b> <i>(Please choose one response for each item)</i>	Never	Sometimes	Often	Always	Not Applicable
a. Employees quit before we have a chance to tell them about the finding	<input type="checkbox"/>				
b. Employees do not return to work when a Tentative Nonconfirmation is received	<input type="checkbox"/>				
c. We don't tell employees about Tentative Nonconfirmations but let them continue to work for us	<input type="checkbox"/>				
d. We decide not to hire employees receiving Tentative Nonconfirmations without telling them about the finding	<input type="checkbox"/>				
e. We decide to fire employees receiving Tentative Nonconfirmations without telling them about the finding	<input type="checkbox"/>				
f. Employees decide to quit rather than contest the Tentative Nonconfirmation finding	<input type="checkbox"/>				
g. Employees tell us that they plan to contest	<input type="checkbox"/>				
h. Employees are unable to contest a Tentative Nonconfirmation because of barriers such as language or bureaucracy/'red tape'	<input type="checkbox"/>				

**(CURRENT USERS THAT HAD A TNC)****D16. How soon after a Tentative Nonconfirmation is received does your company typically notify the employee?***(Please choose only one response)*

- 1  A day or less
- 2  Within three days
- 3  Within a week
- 4  More than a week
- 5  We do not usually notify the employee

**(CURRENT USERS THAT HAD A TNC)**

<p><b>D17. Please consider each of the following statements related to Tentative Nonconfirmations received during employment verification using the E-Verify system. Select the answer that best represents the experiences of your company.</b></p> <p><i>(Please choose one response for each item)</i></p>	Strongly Agree	Agree	Disagree	Strongly Disagree
a. Contesting Tentative Nonconfirmations is not encouraged because the process requires too much time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Providing assistance to employees who contest Tentative Nonconfirmations is an excessive burden on staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Contesting Tentative Nonconfirmations is not encouraged because work authorization rarely results	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Establishing work authorization has become a burden because there are so many Tentative Nonconfirmations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Work assignments must be restricted until work authorization is confirmed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Pay is reduced until work authorization is confirmed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Training is delayed until after work authorization is confirmed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**(CURRENT USERS THAT HAD A TNC)**

**D18. Has your company ever had a worker receive a Final Nonconfirmation (or unauthorized to work) finding?**

*(Please choose only one response)*

- 1  Yes ..... **ANSWER D19**
- 2  No ..... **SKIP TO D20**
- 3  Don't know ..... **SKIP TO D20**

**THE FOLLOWING INSTRUCTION APPLIES WHEN THE QUESTION IS FIRST ANSWERED, AND ALSO APPLIES TO THE FIRST RESPONSE IF IT IS REVISED LATER.**

**[IF D18 = '1' THEN ASK D19]**

**[ALL OTHERS, INCLUDING D18 = 'BLANK', SKIP TO D20]**

**(CURRENT USERS THAT HAD AN FNC)**

<b>D19. Which of the following affect how long a worker could remain on the job after receiving a Final Nonconfirmation?</b> <i>(Please choose one response for each item)</i>	<b>Yes, Always</b>	<b>Yes, Sometimes</b>	<b>No</b>	<b>Not Applicable</b>
a. The worker's employment is terminated immediately	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The worker's departure is linked to the company's pay period (e.g., the end of the month)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. We time the departure to fall within a certain amount of time after receiving the Final Nonconfirmation (e.g., within 3 or 5 days)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOGIC: IF "OTHER SPECIFY" IS ANSWERED "YES, ALWAYS" OR "YES. SOMETIMES" FOR D19d THEN TEXT MUST BE ENTERED IN THE "OTHER SPECIFY" TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**"You have answered QD19d, but you have not entered anything in the text box. Please specify your response.**

- Click 'OK' to proceed to the next question, OR
- Click 'Cancel' to enter the text in QD19d."

**(ALL COMPANIES)**

**D20. Do you now use any form of electronic I-9?**

*(Please choose only one response)*

- 1  Yes
- 2  No
- 3  Don't know

**(ALL COMPANIES)**

**D21.** Before we continue with the survey, we would like your comments or suggestions for improving E-Verify.

**(ALL COMPANIES)**

<b>D22.</b> The following statements describe possible changes that could be made to E-Verify procedures. <i>Please select the answer that best describes your views for each of these possible changes.</i> <i>(Please choose one response for each item)</i>	Strongly Support	Support	Oppose	Strongly Oppose	No Opinion
a. Requiring all companies in the United States to use E-Verify	<input type="checkbox"/>				
b. Eliminating the paper Form I-9	<input type="checkbox"/>				
c. Including the ability to take and verify fingerprints	<input type="checkbox"/>				
d. Increasing the types of documents that can be used with Photo Matching	<input type="checkbox"/>				
e. Adding a formal appeal process that employers or their employees could use if they disagree with the final case finding	<input type="checkbox"/>				
f. Allowing employers that are not federal contractors to verify existing employees	<input type="checkbox"/>				
g. Allowing all companies to verify job applicants	<input type="checkbox"/>				
h. Any other changes you might want to suggest (specify): _____	<input type="checkbox"/>				

**LOGIC: IF “OTHER SPECIFY” IS CHECKED THEN TEXT MUST BE ENTERED IN THE “OTHER SPECIFY” TEXT BOX. IF LOGIC IS NOT MET, A POP-UP DIALOG BOX IS DISPLAYED SAYING,**

**“You have answered QD22h, but you have not entered anything in the text box. Please specify your response.**

- Click ‘OK’ to proceed OR**
- Click ‘Cancel’ to enter the text in QD22h.”**

Thank you for taking the time to answer this survey.  
Your effort and the information you have provided are greatly appreciated.

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