

# E-Verify Maintenance Requirements Modified to Minimize Security Risks

**December 2, 2014**

On January 1, 2015, the United States Citizenship and Immigration Service (USCIS) will begin disposing of E-Verify records that are over 10 years old in accordance with the National Archives Records Administration records retention and disposal schedule. The intent of this policy is to minimize security and privacy risks. IMPORTANT DATES TO NOTE IN THIS REGARD:

- January 1, 2015 USCIS will begin record disposal of E-Verify case records whose last transaction occurred on or before December 31, 2004.
- Employers may download and save the "Historic Records Report" ONLY from October 1, through December 31, 2014. The Historic records report contains information about each E-Verify case created on or before December 31, 2004. This will only apply if the employer was using E-Verify before that date.
- January 1, 2016, USCIS will dispose of records created prior to December 31, 2005. The process will continue annually in subsequent years.

## **Practice Pointer**

Employers may want to annotate Forms I-9 with the E-Verify transaction number and retain the Historic records report with the corresponding I-9 forms.

## **USCIS to launch myE-Verify: What does this mean for the Employee?**

USCIS has announced that it will launch a new website tied to the employment eligibility verification system E-Verify, designed specifically for employees. The launch of "myE-Verify" will allow employees to create and maintain secure personal accounts, as well as provide information and tools to assist the employee in the E-Verify realm.

E-Verify itself is an Internet based system used by employers to compare and verify information concerning an employee's Form I-9 Employment Eligibility Verification against statistics gathered from government agencies such as the Department of Homeland Security and the Social Security Administration. After hire, an employer will submit the information gathered from the new employee's completed Form I-9 to USCIS and to the Social Security Administration to determine the employee's eligibility to work.

At present limited to only five states - Arizona, Idaho, Colorado, Mississippi, Virginia and the District of Columbia - USCIS proposes that myE-Verify will be available nationwide and more expansive in its capabilities in upcoming releases. Some of the current features of myE-Verify include the capability to create unique, secure and personal accounts through the myE-Verify system that will give the employee or job seekers access to the new self-lock system. The self-lock system places a lock on the employee's social security number preventing anyone but the employee from using that number for purposes of a job application with an E-Verify employer. If the system notes that a SSN is being used multiple times in E-Verify for the purposes of employment authorization, the system will self-lock the mismatch.

### **myE-Verify Now Accessible in Addition to Already established Self-Check Feature**

As always, employees may also use E-Verify's self-check function. Self-Check allows job applicants to check their eligibility to work under the E-Verify system before they are hired, affording job applicants a "sneak peak" into the government's data. When using Self Check, job applicants enter the same required identity and work authorization information an employer provides when confirming a new hire through E-Verify.

The self-check system is a valuable tool for employees who access their employment eligibility status and takes some of the guesswork out of the employment confirmation process. The self-check system is a tool that both the employee and employer can use.

**In addition to the self-check and self-lock features, the following are some of the new services available free of charge:**

myE-Verify accounts - The myE-Verify account creation system places an emphasis on individual privacy and adheres to very strict standards when an employee is confirming their identity. When creating an account, a brief quiz will be launched requiring the employee to verify their identity before they can finish creating an account. The questions posed will be unique to each individual and will range from name and address to household information and credit-related questions.

myResources - This is a multimedia section intended to educate employees about their rights, as well as the responsibilities of employers in the employment eligibility verification process.

E-Verify is currently used by nearly 55,000 employers to verify employment eligibility of persons for hire. It remains to be seen how useful a tool myE-Verify will become.