More companies use immigration database

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Continental is among the companies that have signed up for E-Verify.

E-Verify allows registered employers to electronically compare an employee's personal information against databases maintained by the Social Security Administration and the Department of Homeland Security. If the system finds a discrepancy in the records, an employer is sent a notice. The employee can contest the finding.

What do Continental Airlines, the Houston Ballet, the city of Dallas and Sen. John Cornyn all have in common?

They all use the federal government's E-Verify program to check if their employees are authorized to work in the U.S. legally.

A Department of Homeland Security database of the more than 118,000 public, private and government employers enrolled in E-Verify as of May 1 shows companies big (Tyson Foods) and small (the Ballard Street Café in Wylie) are signed up for the program.

Enrollment has grown exponentially in recent years, with about 1,000 employers signing up each week for the free Web-based program, according to DHS statistics. More than 6,100 Texas employers have enrolled as of May 1, including at least 60 city, county and state agencies.

The city of Houston and Harris County aren't among them. Lakewood Church and the Houston Rockets, however, use E-Verify.

"Why not do it?" asked Gerry Boren, the city manager of Gun Barrel City, population about 6,100, which sits on Cedar Creek Lake southeast of Dallas. The city started using the system in May, and so far has verified the work authorization of a police officer and two public works employees, he said.

Magic bullet?

Critics say there are good reasons not to use the program, which has been around for more than a decade.

Some big business groups have opposed efforts to compel participation in the program, arguing it can be burdensome, particularly for small employers.

Immigrant advocates have criticized E-Verify for incorrectly flagging people authorized to work in the U.S., including naturalized U.S. citizens.

"E-Verify is not a magic bullet that's going to resolve all of our immigration problems," said Michele Waslin, senior policy analyst at the Immigration Policy Center in Washington D.C. "And it actually can be quite harmful to people who are here legally."

Homeland Security officials insist the system's performance has improved significantly in recent years, and said they remain committed to pushing ahead with plans to require federal contractors to use the program starting by the end of June.

The agency reported that 96 percent of cases submitted to the system resulted in confirmations within 24 hours during the third quarter of 2008. In the remaining 4 percent, the system found a discrepancy in a new employee's paperwork that needed to be resolved.

Growing enrollment

At the federal level, participation in E-Verify is voluntary for businesses. At least nine states now require that state contractors or state agencies use the system. Arizona, Mississippi and South Carolina passed more stringent laws that require public and private employers to use the system.

A bill that would have made participation in E-Verify mandatory for all government agencies in Texas failed to make it out of committee this session.

Dozens of Texas cities and counties are participating in the program. Dallas opted to enroll in 2004. Frank J. Librio, a spokesman for the city of Dallas, said the program helped ensure the city complies with federal employment verification laws.

During the past five years, E-Verify checks have resulted in "non-confirmation" notices for 63 new hires, Librio said. Twenty-nine people who received the letters opted to "self-terminate" the employment process. He said the remaining 34 resolved their issues and were hired.

The city of Houston enrolled in the program about a year ago, but does not use it, said Roland Bienvenu, a spokesman for the city's human resources department.

"We're not required to use it, and we already take steps to verify employment eligibility," Bienvenu said, including requiring new employees to complete the I-9 form as required under by law and checking a Social Security Administration database.

Frank Michel, a spokesman for Mayor Bill White, said the city is revamping a portion of its internal computer system, and will consider training employees to use E-Verify once the other upgrade is completed later this summer.

Michel said there is also some concern that the city's hiring process, which involves multiple departments, may make it difficult to comply with certain deadlines requried by E-Verify.

Harris County also does not use E-Verify, said Richard Foisner, director of payroll for the county. "Basically, the way I understand it, currently it's an optional program," Foisner said.

Who's in?

Despite its recent enrollment boost, E-Verify still is used by less than 2 percent of the nation's more than 7.4 million employers. Only about 1.3 percent of Texas' 509,000 businesses have signed up.

The list of participating employers spans across the state, from small, rural churches to massive slaughterhouses.

Naegelin's Bakery in New Braunfels, which claims the title of "oldest continuously operating bakery" in the state, has signed up.

The Boys & Girls Club of Arlington is a participant. So is the Coca-Cola plant in Odessa.

CenterPoint Energy, Lockheed Martin Corporation and Happy Hen Farms Inc. are all enrolled. But Halliburton is not.

(In the interest of full disclosure, the Houston Chronicle is not enrolled in E-Verify.)

Frank Crapitto, owner of Houston restaurants Crapitto's Cucina Italiana and Frank's Chop House, said his company signed up to try the program in February. Crapitto said he hasn't used it yet, but plans to start with the next round of hires.

In April, the Obama administration announced new guidelines that increase the focus on employers who break the law.

"They're talking about all of these punishments for people that hire illegal aliens," Crapitto said. "And you have people coming in with fake IDs, fake driver's licenses and Social Security cards. So you don't know what you're getting.

"This helps you follow the rules," he said.

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