

PUBLICATION

Immigration Update: A Potentially Scary New Gift From E-Verify; Holiday Feasting Replaced By Fasting for Many This Season

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This month: a potentially scary new gift from E-Verify, and holiday feasting replaced by fasting for many this season.

E-Verify Developments – Can This Gift be Returned?

Lock Out Feature

On November 18, 2013, E-Verify announced an enhancement to combat identity fraud. USCIS can now “lock out” social security numbers that appear to have been used fraudulently. Once locked out, “tentative non-confirmations” will be issued for these workers which must be resolved with Social Security offices. The benefits of this new feature and the success of its slowing imposters ultimately may not outweigh the harmful effect on true owners of social security numbers that get locked.

For more discussion of the impacts of this change, please see the [recent posting by Baker Donelson immigration attorney Robert C. Divine](#).

For the USCIS press release, [click here](#).

New E-Verify Memorandum of Understanding (MOU)

New and revised E-Verify MOUs were scheduled to be released on December 8, 2013. Existing users do not need to execute the new MOU, but are bound by the enhancements that are effective January 8, 2014. In addition to making material clearer and more easily searchable, the MOUs contain updated provisions regarding enhanced privacy protections and reporting privacy and security breaches.

Immigration Reform: Waning Hope for the Holidays

On June 27, 2013, the Senate passed the "Security, Economic Opportunity, and Immigration Modernization Act." With the clock ticking and the end of session of approaching, the glimmer of hope for resolution by the House of Representatives continues to dim. Since November 12, 2013, immigration activists, loosely known as "Fast for Families," have been gathered in the shadow of the U.S. Capitol to raise awareness and urge a decision on Immigration Reform before year end. Initially started by a group of less than twenty, these individuals have been joined by religious, immigrant and labor organizations around the country. Advocates in other cities from California to New York and various organizations continue to hold fasts in solidarity with those outside the Capitol throughout the month and into 2014. On December 10, hundreds of American Immigration Lawyers Association members and staff joined in a 24-hour fast to urge the passage of immigration reform this year.