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System to verify workers' status called faulty
Critics say checks on citizenship, as done in Georgia, are unreliable.

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Washington — Forcing U.S. companies to use a government system to verify the legal status of employees would result in hundreds of thousands of citizens and legal residents being initially rejected for work, critics said Tuesday.

Immigrant advocates, business groups and experts said the system, known as E-Verify, relies on faulty databases that were never designed as immigration enforcement tools.

Lawmakers in Congress and at statehouses across the country are considering proposals to make E-Verify mandatory in an effort to stop illegal immigration. The program is currently voluntary in most states.

In Georgia, all public employers are required by law to use E-Verify. In addition, private companies contracted by the state must use it for new hires. The measures were part of an immigration law that went into effect last year.

"What they're really putting at risk is all U.S. citizens," Angela Kelley, director of the Immigration Policy Center, said during a conference call with reporters. "If these bills pass, for the first time we are going to find ourselves as a nation, all workers, asking permission of our government to work, to be able to hold a job."

The U.S. Chamber of Commerce and other business groups have challenged the law, saying it is unconstitutional and interferes with federal immigration statutes.

Using the Internet-based system, an employer can check immediately whether employees are in the United States legally by comparing their information with electronic government records.

If the information doesn't match, the employee has an opportunity to correct the paperwork, often through a trip to a Social Security office. If the person can't correct the discrepancy, the employer must fire the worker.

More than 58,000 companies nationwide currently use the system, and 1,000 are joining every week, federal officials said.

William Wright, a spokesman for the U.S. Immigration and Citizenship Services, said 92 percent of all queries are approved in less than five seconds. Of the remaining 8 percent, the majority are not contested, he said.

Wright said that employees are given a "due process for correcting data mismatches" and that there are many

reasons why a person's information would not match, such as a change in name or citizenship status.

Emilio Gonzalez, director of the agency, told Congress this month that allegations the system is not sufficiently accurate and places hardships on workers are "not true."

"Less than 1 percent of new hires actually contest a mismatch," he said. "Most mismatches that are not pursued involve the E-Verify system doing exactly what it is supposed to do: detecting and deterring unauthorized employment."

But even a small error rate could lead to major problems if the system is mandated nationwide, said Jim Harper, director of information policy studies at the libertarian Cato Institute in Washington.

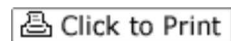
Harper, who sits on a committee that advises the Department of Homeland Security on privacy and data integrity issues, cited a 2006 report by the Social Security Administration's inspector general that said the error rate of the agency's databases, which are used in the E-Verify system, is about 4 percent.

Nationwide, this would mean that 1 in 25 new hires would not receive an immediate legal match, or 11,000 people a day would have to get their papers fixed in order to work, Harper said. And many on the low end of the socio-economic process would not be able to navigate that process, he added.

"That's going to push law-abiding American workers out the bottom of the economic spectrum," he said.

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