E-Verify Doesn't Need to Reject Lots of Workers to Be Effective

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Alex Nowrasteh has an <u>interesting post</u> about Arizona's E-Verify law, based on information the Cato Institute shook loose via freedom-of-information request. The state requires all employers to use the E-Verify system to make sure they're not hiring illegal immigrants, and Nowrasteh uses his new data to make two criticisms of the program.

The first is sound: Arizona businesses apparently aren't actually using E-Verify on all their hires. In recent years, about 30 percent of hires have taken place without being run through the system. The state should absolutely look into why this is happening and fix it.

But here's his second criticism:

> The new problem revealed by this FOIA is just how few new hires are rejected because the system identifies them as illegal immigrants and, therefore, unauthorized to work. Beginning in 2008 when E-Verify was mandated in Arizona for all new hires, the share of E-Verify cases where the system identified the new hire as an illegal immigrant and therefore unauthorized to work peaked at 0.7 percent (Table 2). That was the first year of the mandate. After that, the percent dropped to about 0.1 percent in 2014 and has stayed there.

> Of course, illegal immigrants are a much higher share of the population in Arizona than 0.7 percent or 0.1 percent.

This is similar to an argument sometimes made about the background checks that gun stores run on buyers: Very few sales are rejected, and most rejections don't even result in prosecutions, so the system must be pretty pointless.

But that misses the point. Of course felons aren't walking into gun stores trying to buy firearms illegally, and then happily filling out a form notifying law enforcement that they're trying to buy firearms illegally. And of course illegal immigrants aren't submitting paperwork proving they're illegal immigrants to a system designed to ensure they're not illegal immigrants.

These checking systems don't work primarily by actually rejecting people. They work by discouraging people from applying to begin with. Ideally, felons will avoid licensed gun dealers and illegal immigrants will avoid companies that comply with E-Verify, which will shut down big potential sources of illegal guns and jobs.

Of course, this isn't to say that these systems necessarily are effective in reducing the total number of illicit firearms or hires. If criminals can easily buy guns on the black market or through private sales instead, and if illegal immigrants can easily find jobs that don't require E-Verify or just get paid under the table, they might not be. But the simple fact that very few people are dumb enough to fill out a form telling the government they're trying to break the law doesn't tell us much of anything.