

Most Texas employers are skipping E-Verify when hiring

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AUSTIN — Texas lawmakers may have beefed up border security and cracked down on so-called sanctuary cities, but private employers are hardly rushing to verify whether Texas job applicants are authorized to work here.

In a state where the non-citizen share of the population is 11 percent, fewer than one third of Texas hires — 32 percent — were screened with E-Verify for the year ending June 2017, according a recent Pew Charitable Trusts report.

E-Verify is a digital system that confirms authorization to work in the U.S. by comparing application information to federal records.

The fact that lawmakers failed in 2017 to pass a bill that would have strengthened Texas' existing E-Verify mandates, while at the same time taking a hard line on other immigration-related issues, dramatizes an ongoing conflict between politics and the profit motive that plays out across the nation.

“There are political calculations that are being made,” said Tom Jawetz, vice president of immigration policy at the liberal-leaning Center for American Progress. “But employers who know they need the workers, they’re making calculations based on the bottom line.”

Mark Jones, a Rice University political scientist, contrasted efforts to pass a more-stringent state E-Verify bill to Senate Bill 4, the Texas 2017 immigration-enforcement law.

“SB 4 is largely symbolic,” Jones said. “E-Verify is not symbolic. It’s real-world.

“E-Verify increases costs of doing business. More importantly, it would decrease access to workers.”

Research from the Federal Reserve Bank of Dallas seems to support Jones’ second point.

The Dallas Fed in 2017 reported that “the numbers of unauthorized immigrants living and working in a state tend to fall after adoption of a universal E-Verify law compared with what those counts would have likely been without the requirement.”

According to the study, 21 states mandated E-Verify use as of December 2016.

Most only required public-sector employers or contractors to use E-Verify.

Just eight states have universal mandates covering all employers.

In Texas, state agencies and universities are required to use E-Verify.

State Rep. Lamar Smith of Texas has long championed a national E-Verify law.

“The disparity among states in their use of E-Verify demonstrates the need for a nationwide policy to shut off the jobs magnet for illegal immigrants,” Smith said in a statement. “By confirming whether an employee is eligible to work in the U.S. or not, the E-Verify system prevents illegal workers from taking jobs meant for Americans.”

But implementing such a program would have would have cost “about \$635 million over the 2014-2018 period and a similar amount in the subsequent five-year period,” according to a 2013 analysis by the nonpartisan Congressional Budget Office.

In total, the CBO estimated that Smith’s bill “would increase budget deficits as measured by the unified federal budget by about \$30 billion over the 10-year period.”

Alex Nowrasteh, of the libertarian Cato Institute, noted another possible drawback attached to E-Verification .

“Illegal immigrants who can’t work are more likely to commit crimes in order to support themselves,” Nowrasteh wrote, citing findings from an upcoming American Economic Journal: Economic Policy paper by researchers who studied Bexar County, Texas, data. “The supporters of E-Verify should also consider that one possible result of mandating that system is higher incarceration and crime rates.”

Texas economist Ray Perryman in 2017 put the total net economic benefits of the state’s undocumented workforce at \$290.3 billion in output (gross product) and 3.3 million jobs annually.

Smith said that his “Legal Workforce Act legislation to require universal E-Verify has been included in House Judiciary Chairman Bob Goodlatte’s Securing America’s Future Act immigration package.”

Jawetz, a former chief counsel on the Immigration Subcommittee of the Judiciary Committee, said that while the E-Verify situation is “very volatile,” on the state level, he doesn’t see any hope for passage of Smith’s bill this term.

“Even if E-Verify worked perfectly, in the absence of broader reform, it would be an extremely effective way of killing the economy,” Jawetz said.