



## With E-Verify, the verify is the hard part

November 1, 2019

Gov. DeSantis has the right goal on illegal immigration. But his path to get there is flawed.

This week Gov. Ron DeSantis spelled out his top two priorities for the 2020 legislative session: raising salaries for starting teachers and implementing the E-Verify system as a way to curb illegal immigration. Since we've previously discussed the former, today we'll consider the latter.

Meeting with reporters Tuesday, DeSantis proclaimed he wanted to utilize E-Verify — the federal database employers can use to check immigration status of new employees — because it “is the best way to help deter illegal immigration,” according to the Tampa Bay Times.

DeSantis has the right goal. But his path to get there is flawed. Lawmakers should not waste time on the E-Verify system until they can ensure compliance.

America's illegal immigration problem rests on a three-legged stool.

First, we have inadequate resources to properly police the southern border with Mexico, and that is being exploited. We're seeing this new push by so-called asylum-seekers who are overwhelming our dedicated Border Patrol agents and straining the detention and immigration-court systems to the breaking point.

Secondly, we largely lack the ability or will to retrieve and ship home people who overstay their visas, whether they are here as tourists, students or workers. Back in April the Department of Homeland Security reported that in 2018 visa overstays were down by 5% relative to 2017, and down 10% compared to 2016. Still, the agency estimated nearly 667,000 foreign visitors remained in the country after their visas expired, and only 15% of them eventually went home.

Finally, we have employers, particularly in the agricultural sector, who turn a blind eye to immigration status. E-Verify purports to correct this, as DeSantis suggests. But in an op-ed piece distributed this month, Alex Nowrasteh, director of immigration studies at the Cato Institute, a libertarian think tank in Washington, makes a convincing case that this will be a waste of time and energy — unless we follow through completely.

Nowrasteh recalls the massive raid federal authorities conducted on Mississippi chicken-processing plants in early August. Overall, 680 illegal immigrants were arrested, even though Mississippi mandated E-Verify in 2011.

Nowrasteh notes this is symptomatic of larger problems with E-Verify.

For one thing, illegal immigrants can get hired by stealing identities or borrowing personal information from legal relatives or friends. E-Verify has no way of catching such fraud, Nowrasteh argues.

Additionally, Nowrasteh writes, in Mississippi in 2017, for example, while all new hires were supposed to be processed through E-Verify, only about half were. And in Arizona, which

mandated E-Verify in 2008, the employer compliance rate was only around 60%. Arizona, he observes, legislated a “death penalty” for businesses who repeatedly hire illegal workers, but only three companies have been subjected to it for knowingly hiring illegal immigrants.

“Does anyone really think that the Florida government will go as far as to target businesses and shut down those that don’t use E-Verify?” Nowrasteh asks rhetorically.

Most of us would say no — and that is the point.

We can devote more resources to the border, or even build a wall. Presumably, since they are entering legally, we can get better at tracking and finding those who literally overstay their welcome.

But, as for the third leg of this stool, we have been reluctant to crack down on employers who hire illegal immigrants, even under President Donald Trump.

In August, two weeks after the raids, CNN reported that not a single owner or manager of those Mississippi chicken plants had been charged for hiring illegal workers. In May, The New York Times reported that over the 12-month period that ended in March, the feds had prosecuted more than 112,000 people for illegally entering the country, yet just 11 employers were criminally charged for hiring such workers.

That is a major stumbling block to getting illegal immigration under control.

We appreciate the governor’s efforts to stymie illegal immigration. But regarding E-Verify, Florida should pursue it only if Gov. DeSantis can ensure employers will comply, or ensure tough prosecution of those who don’t. If he cannot guarantee that — and frankly we don’t see how he can — we shouldn’t even bother going through the exercise of saddling businesses with an additional, ineffective regulation.