

LINCOLN TIMES-NEWS

Lincoln County's Home Newspaper

The high cost of E-Verify

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May 15, 2017

Former House Ways and Means Committee staffer Joanne Butler wrote a recent piece calling for greater use of E-Verify to fight illegal immigration. Like other pieces advocating for the massive expansion of this government-run employment verification program, Butler's presents a rosy view of E-Verify that is at odds with the reality. E-Verify remains an ineffective program that promises much, accomplishes little and is dangerous to citizens and non-citizens alike.

E-Verify is still based off of Reagan-era employment verification forms. After collecting I-9 tax forms from employees, the employer enters the information into a government website. The system compares these data with information held in Social Security Administration (SSA) and Department of Homeland Security (DHS) databases. SSA data is then used to check the validity of the Social Security number while DHS checks immigration status.

If both databases decide that the data are valid then it approves the employee for work. A flag raised by either database returns a tentative non-confirmation that requires the employee and employer to sort out the error. These errors can range from the simple (a misspelled name) to the complex (such as the system flagging a Social Security number as fake or already in use). The employer and the employee must correct these errors, eating up valuable labor hours and resources. The current I-9 form costs employers an estimated 13.48 million man-hours each year, while 46.5 percent of contested E-Verify cases took longer than eight working days to resolve. A hypothetical nationwide E-Verify mandate would sacrifice many millions more work hours on the altar of immigration enforcement.

E-Verify's errors and inaccuracies are far too frequent and notoriously difficult to actually measure. The last major survey of E-Verify's accuracy rates was published in 2012. According to that last survey, 54 percent of unauthorized workers were incorrectly found to be work authorized due to E-Verify's reliance on documents presented by the workers themselves. This makes it easy to fool E-Verify: the system checks the validity of documents but does little to check the veracity of documents.

For example, a blatantly false Social Security number, such as one with the wrong number of digits or an impossible combination of numbers, will be flagged. However, an unauthorized worker utilizing a valid number illicitly acquired will not be flagged by the system. The system will not question why a 44-year-old man in California is using, say, a Social Security number issued to a 5-year-old girl born in Texas or one of the 6.5 million numbers attached to Americans who are 112 years old or older who are not recorded as deceased.

E-Verify also blocks some legal workers. Around 0.15 percent of E-Verify queries result in a false final non-confirmation, locking out otherwise legal citizens and permanent residents. An SSN “lockdown” feature only makes things worse, as the Social Security Administration can lock a number used multiple times in the system. An American could find their Social Security number “locked” and have to go through a long process to unlock it. The valid number holder is forced to bear the burden of having to prove to the government that they are who they say they are.

Even more absurd, about half of all new hires in states that require mandatory E-Verify for all new hires are not run through E-Verify. Enforcing E-Verify is about as difficult and expensive as enforcing the current I-9 system except that it adds another layer of bureaucracy for employers and employees to overcome. Arizona, Mississippi, South Carolina, and Alabama are states committed to immigration enforcement. If they can’t even make mandatory E-Verify truly mandatory then there is no hope for the federal government accomplishing that goal.

Finally, E-Verify is expensive. Expanding E-Verify through a nationwide mandate would, per the CBO, cost the federal government \$635 million from 2018 to 2023. It would additionally impose \$10 million in annual costs on state and local governments, as well as a minimum \$200 million in costs to the private sector as employers struggle to verify millions of employees. All that cost for a system that doesn’t even work very well – what a bad deal.

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