



National Association of Social Workers

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To: House Committee on Labor
From: Rick Harris, LICSW
Re: In opposition to H - 7315 and H - 7927

I. Problems with E-Verify Identified by the Most Recent Government Accountability Office (GAO) December, 2010 - From: <http://www.gao.gov/assets/320/314278.pdf>

- E-Verify remains vulnerable to identity theft and employer fraud.
- Tentative non-confirmations (TNC) are more likely to affect foreign-born employees.
- Employees are limited in their ability to identify the source of, and how to correct information in DHS databases that may have led to an erroneous TNC. To identify and access the source of the incorrect data, employees must use methods such as Privacy Act requests, which in fiscal year 2009, took on average 104 days.
- Employees are limited in their ability to identify, access, and correct personal information maintained by DHS that may have led to an erroneous TNC. If an employee chooses to contest a TNC, the employer is required to provide the employee a referral letter that identifies which agency an employee needs to visit or call to resolve the TNC and close the case. This is an important step because when an employer refers an employee to SSA through E-Verify, an 8-day clock starts. The employee must visit an SSA field office during that time (8 federal workdays) to try to resolve the TNC.

II. Other Thoughts

- The system has major faults, as it at times inaccurately identifies immigrants and U.S. citizens as not being “employment-eligible.” This may, in some cases, prevent qualified U.S. citizens and documented immigrants from getting jobs and unfortunately may encourage discriminatory hiring practices among some employers.
- Potential and current employees may be faced with erroneous results of the E-Verify system,

especially those who have immigrated here or changed names after a marriage or divorce.

- Naturalized citizens may become targets of discrimination and possibly victims of identity fraud and chronic unemployment.
- Instituting E-Verify, based on flawed and/or missing data, is an undue burden on business. Businesses may find themselves unable to hire qualified employees based on the determination of the verification search, regardless of the validity of the search results.
- Not only does the system have internal errors, but the individuals with “tentative non - confirmation” are caught in a “catch-22”. Some in this situation need to work to provide for themselves and their families and may end up working “under the table” to supply these needs. This practice ultimately evades employment regulations and taxes and places themselves at grave physical and financial risk by unscrupulous employers and in an unprotected status if injured.
- We generally are in disagreement with the Cato Institute, but considering E-Verify we oddly find ourselves in agreement on key points. In a March 8, 2008 Policy Analysis concerning the E-Verification system, the Cato Institute, a Washington-based conservative think tank, concluded that the system was extremely flawed and would actually “result in loss of federal revenue of \$17 billion dollars over ten years”. Furthermore, the Institute stated that immigrants help to grow the economy and migration would be greatly hindered by the verification process.

It is our belief that newly arrived individuals from other countries contribute positively to the economy and to our culture. Overall, policies developed for non-documented or illegal immigrants can and need to be handled in a much more humane and productive way for all concerned based on economic growth, actual use of public services, and a human cost to benefit ratio. We live in a “world community” and Rhode Island is very much a part of that community.

Respectfully Submitted,

Rick Harris, LICSW
Executive Director