N A S W. RHODE ISLAND CHAPTER

National Association of Social Workers

260 West Exchange Street, Suite 306
Providence, Rhode Island 02903
Telephone ▪ 401-274-4940
Facsimile ▪ 401-274-4941
rinasw@aol.com
www.rinasw.info

Date: February 11, 2009

To: The House Committee on Labor
Re: In Opposition to House Bill H - 5143
          In Support of House Bill H - 5234

Purpose of Bill H - 5143: This act would establish the E-Verify Compliance Chapter and require all non-governmental employers within the state with (3) or more employees to apply to participate in the extended federal basic employment verification pilot program and to participate if accepted.

Purpose of Bill H - 5243: House Resolution opposing the E-Verify program and uging the United States to halt its implementation.

In the past decade, measures to restrict illegal immigration have been largely ineffective and the electronic verification program that has continued to be developed as a homeland security and immigration control measure is extremely flawed. The E-Verify Program is detrimental not only to individuals, but also to the economy as a whole.

Following are specific concerns with this system.

*   As of the February 1, 2009 there were 7.4 million employers and over 142,099,000 employees working in the United States . Only 61,000 employers have used the E-Verify system representing just **.008 percent** of employers in the U.S. The sample is so small that no empirical research conclusion can be drawn from any figures garnered from the E-Verify process. Despite this, some very alarming statistics do avail themselves. Nearly **10% of all foreign-born citizens** are not authorized through this process the first time around.   According to the Social Security Administration, their database continues to have a **4%** error rate. This error rate is significant because this database is one of the prime databases used in the E-Verify system.

*   A report from the **U.S. Citizenship and Immigration Services** discloses that "the database used for the verification is still not sufficiently up-to-date to meet the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requirements for accurate verification, especially for naturalized citizens"

*   A **Government Accounting Office report** (June 10, 2008) further supports the notion that the federal government is not ready to implement a nation-wide E-Verify system.

    ".....**U.S. Citizenship and Immigration Services (USCIS)** officials estimated that mandatory E-Verify program could cost a total of about $765 million for fiscal years 2009 through 2012 if only newly hired employees are queried through the program and about $838 million over the same 4-year period if both newly hired and currently employees are queried. The Social Security Administration

(SSA) has estimated that implementation of a mandatory E-Verify program.... would require hiring 700 new employees for a total of 2,325 additional work years for fiscal years 2009 through 2013."

- The system has major faults, as it at times inaccurately identifies immigrants and U.S. citizens as not being "employment-eligible." This will, 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 are likely to be faced with erroneous results of the E-Verify system, especially those who have immigrated here or changed names after a marriage or divorce. This means it is another piece of legislation that will affect everyone, but unfairly target the immigrant population.

- Naturalized citizens are likely to become targets of discrimination and possibly victims of identity fraud and chronic unemployment.

- The system does not specify an appeal process that would remedy verification errors other than an eight day window for appeal. The potential employee is left holding the bag while the verification process is going on potentially for several months.

- Instituting E-Verify, based on flawed and/or missing data, is an undue burden on business. Businesses will be unable to hire qualified employees based on the determination of the verification search, regardless of the validity of the search results. There is also no guarantee that companies that use the E-Verify system are any less likely to be audited, as several large employers around the nation have found out.

- Not only does the system have internal errors, but the individuals with "tentative non - confirmation" are caught in a "catch-22". Many in this situation need to work to provide for themselves and their families and will work "under the table" to supply these needs, which ultimately evades employment regulations and taxes and places themselves at grave physical and financial risk by unscrupulous employers. This will also negatively impact the economy of Rhode Island, as fewer residents will be paying into the tax system by working for cash pay**. In fact, newly arrived individuals and families often spend al of their disposable income in local businesses.**

- 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.   Rhode Island should not , in our opinion, place itself in front to national policy.

Respectfully Submitted,

Rick Harris, lICSW
Executive Director