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## Mass Deportations vs. Mass Legalization: A False Choice

By William W. Chip

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During the 1990s, the bipartisan U.S. Commission on Immigration Reform, appointed by President Clinton and chaired by African-American Rep. Barbara Jordan (D-Texas), recommended that Congress reduce legal immigration by 30 percent<sup>1</sup> and curtail illegal immigration by mandating electronic verification of employees' Social Security numbers.<sup>2</sup> In summarizing the commission's work to Congress, Rep. Jordan testified: "Credibility in immigration policy can be summed up in one sentence: Those who should get in, get in; those who should be kept out, are kept out; and those who should not be here will be required to leave."<sup>3</sup>

Now comes Donald Trump, whose passion for immigration reform is a double-edged sword for supporters of the Jordan Commission's recommendations. On the one hand, Trump's boldness has made it hard for other GOP candidates to duck tough immigration issues by promising to get to them only after they have first "sealed the border". On the other hand, his undiplomatic manner of speaking has played into the hands of commentators eager to lampoon his policy proposals as "extremist" or "loony", even though all of them (other than invoicing Mexico for border security) have been previously endorsed by respectable scholars and policy-makers.

During his rise in the polls, Trump has been both beneficiary and victim of "sound-bite journalism", the 21st century's increasingly frenetic, Internet-driven approach to the reporting of current developments. Sound-bite journalism inevitably oversimplifies the presentation of complex issues, enabling partisans to manipulate "the news" by crafting false-choice narratives in which an agreed national problem is presented as having only two solutions — the partisan's favored solution and another that is outlandish.

Perhaps the most consequential of the "false choices" for immigration reform is that between legalizing the entire illegal alien population, thought to be in the neighborhood of 11-12 million people, or physically deporting them, a process described in a recent op-ed by conservative columnist Charles Krauthammer as "sending SWAT teams to turf families out of their houses".<sup>4</sup> According to Krauthammer, the SWAT teams would take 20 years to complete their work and cost the country a half-trillion dollars.

Along the same lines, Democratic presidential candidate Hillary Clinton has accused Republicans of wanting "literally to pull people out of their homes and workplaces, round them up and ... put them in buses or boxcars."<sup>5</sup> Republican presidential candidates like John Kasich and Ben Carson have followed suit, claiming that the alternative to legalization is "mass deportation", decried as "expensive and impractical"<sup>6</sup> or equivalent to "putting them on a school bus, driving them to the border, opening the door, and just telling them to get out."<sup>7</sup>

Mr. Trump has enabled false-choice partisans by a lack of specificity and consistency. To be fair, his own published immigration plan does not call for "mass deportations", but only for deportations of criminal aliens.<sup>8</sup> Mr. Krauthammer's mass-deportation allegation is based instead on Trump's off-the-cuff statement to NBC that all undocumented immigrants "have to go", an echo of Rep. Jordan's testimony that "those who should not be here will be required to leave." However, Trump's refusal so far to explain how these immigrants would be made "to go" has breathed life into the SWAT-teams-and-boxcars caricature of his proposal.

In order to know the real choices we face concerning illegal aliens already residing here if and when we take the necessary steps to prevent new waves of illegal immigration, it is useful to divide the illegal alien population into three groups: (1) those who would return home of their own accord if we left them alone ("voluntary returnees");

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(2) those who would not (“reluctant returnees”); and (3) those who need not return because they have been awarded lawful status under a program similar to the 1986 amnesty (which legalized approximately three million illegal aliens).

Reaching agreement on how many and which aliens might qualify for a legalization program will be extremely difficult. However, the debate should not be driven by the false assumption that those who do not qualify must be tracked down, rounded up, and carried off en masse.

## Voluntary Returnees

Left to their own devices, a large part of the illegal population will eventually return home. Learn Spanish, speak to the “undocumented”, and you will discover that, with few exceptions, they miss the culture, familiar sights, and friend and family networks from which they have separated themselves. Unless we entice them to stay through a legalization program, many will voluntarily repatriate because they are homesick, cannot find a steady job, or have achieved their financial objectives, such as building a home in their village. Many, if not most, never intended to make the United States their permanent home.

Based on estimates by the Center for Migration Studies and the Pew Research Center for the period 2009-2013 and on its own estimates for the subsequent period through May 2015, the Center for Immigration Studies concluded that during the first 5.5 years of the Obama administration the illegal alien population would have declined by approximately 2.5 million, nearly 25 percent, had the president’s truncated enforcement of our immigration laws not facilitated the arrival of an equal number.<sup>10</sup> Extrapolating that departure rate through the end of President Obama’s second term yields approximately 3.6 million voluntary returnees, nearly one-third of the illegal alien population when he took office.

## Reluctant Returnees

Assume, for argument’s sake, that during the next presidency one-third of the current illegal population repatriated of their own accord. That would still leave over seven million illegal aliens determined to stay put for the foreseeable future. Whatever the number might actually be, the argument that nothing short of SWAT teams will bring about their departure is baseless.

### “Soft Power” vs. “Hard Power”

According to the *2013 Yearbook of Immigration Statistics*, published by the Department of Homeland Security (DHS), approximately 173 million nonimmigrant aliens entered the United States in 2013, approximately 10 million every three weeks.<sup>11</sup> Overwhelmingly, these foreigners come to shop, sightsee, study, or enter lawful employment. When their visas expire, all but a tiny percentage will return home. If they are accompanied by their children, or bear children while here, both they and we expect that the children will return with them. If they leave children or other family members behind, it is they, not we, who are “separating families”.

We benefit from these millions of visiting tourists, students, and laborers, but if the system depended on forcible removal to ensure their eventual repatriation, it would collapse. In fact, we do not rely on the “hard power” of deportation to ensure their return, but instead on the “soft power” of withholding employment, non-emergency government benefits, driver’s licenses, and other conditions of a normal, lawful life. Concerning government benefits, for example, the Jordan Commission reported: “The commission recommends that illegal aliens should not be eligible for any publicly funded services or assistance except those made available on an emergency basis. ... Should illegal aliens require other forms of assistance, their only recourse should be to return to their countries of origin.”<sup>12</sup>

Advocates of mass legalization portray the alternative to mass legalization as an enforced mass migration without precedent, but consider this: Our alien population is not increasing by anything close to 173 million per year, so if approximately 10 million aliens enter the United States every three weeks, then approximately 10 million must be leaving every three weeks. If the seven million “reluctant” illegal aliens were successfully incentivized to return home over a two-term presidency, that would add about 50,000 departures to the 10 million tri-weekly departures that will occur in any event, tantamount to a rounding error in the normal ebb and flow of alien arrivals and departures. Who, for example, has expressed outrage or has even noticed the estimated tri-weekly departures of 26,000 illegal aliens under the Obama administration?

During the 2012 presidential campaign, Republican candidate Mitt Romney made the humane, realistic argument that if we simply started enforcing our laws against hiring illegal aliens, illegal aliens already living here would find it harder to work illegally and, like legal alien workers whose visas had expired, would voluntarily return home. Unfortunately, he was advised to refer to the normal process of returning to the homeland as “self-deportation”, a sound bite used by his opponents to portray Romney as proposing “to make life miserable” for unlawful workers.<sup>13</sup>

Is denying employment to aliens whose employment was forbidden by Congress “making life miserable” for the lawbreakers? Those who unjustifiably (but successfully) chastised Mr. Romney should imagine an illegal alien working side by side with another alien who, unlike him, is here lawfully on a temporary work visa. Approximately a million alien workers enter the United States every year with nonimmigrant visas.<sup>14</sup> Even a Democratic administration will feel no compunction about telling the legal worker to leave (along with his family) when his visa expires, and the administration will not thereby be accused of wishing “misery” upon the legal worker. Why is the law-breaking worker exempt from our ordinary expectations for the law-abiding worker sitting next to him? If he is reluctant to depart it is probably because he has enjoyed some economic benefits by working here instead of in his own country. His unlawful behavior has been rewarded, and no one has proposed taking back those rewards, but why should his reward continue beyond the time it would have terminated had he behaved lawfully?

If we rule out SWAT teams and boxcars, how then do we locate, and incentivize to leave, millions of illegal workers who are “reluctant returnees”? The answer is simpler than many politicians and journalists would have us think.

### *Soft Power Plan A: E-Verify*

Aliens most likely to fall into the “voluntary returnees” category are those who haven’t found the steady, gainful employment needed to put down roots. Those most likely to fall into the “reluctant returnees” category are those holding steady jobs, indicating that their employers have the steady business that allows for a stable workforce. Such employers overwhelmingly insist that every employee complete a Form W-4, disclosing his or her name and Social Security number (SSN) for purposes of reporting wages to the Social Security Administration (SSA) and the Internal Revenue Service (IRS) in order that their Social Security benefits and income tax liability may be calculated. While the employers have little to fear from the agencies responsible for immigration law enforcement, especially under the current administration,<sup>15</sup> they are quite sensibly fearful of the IRS.

The employer transfers information from Form W-4, including the employee’s name and SSN, to Form W-2, which reports the employee’s wages for the taxable year. The employer submits the form W-2 to the SSA, which credits the reported wages to the employee’s Social Security account, on the basis of which the employee’s Social Security benefits will someday be calculated. The SSA then shares the W-2 information with the IRS for purposes of tax administration.

Because the SSA issued the SSNs in the first place, it knows which ones are invalid, either because they were never issued, were issued under a different name, or were issued to a person now deceased. Some SSNs are valid, but are nevertheless suspicious because they belong to children, to the extremely elderly, are being used for multiple employers, etc. Others were validly issued, but under the condition that they could not be used for employment authorization.

By any standard, and apart from immigration policy, the amount of incorrect or fraudulent identity data pouring into our income tax and Social Security systems is astonishing. In 2005, the Government Accountability Office (GAO) reported to Congress that, for the period 1985 to 2000, there were 86.4 million wage reports where the employee’s name and SSN did not match and that in 2002 alone the SSA received almost nine million “mismatched” reports, representing \$56 billion in earnings that may never be credited toward the Social Security entitlements of their users.<sup>16</sup> A year later, in 2006, the GAO reported to Congress that earnings were being posted each year for over a million aliens who had been issued a SSN or a Tax Identification Number (TIN) that was not to be used for work authorization.<sup>17</sup> Also in 2006, the SSA testified to Congress that in 2003 it had received approximately 200,000 wage reports using a SSN numbered 000-00-000.<sup>18</sup> Just this year the SSA’s own inspector general reported that 66,920 of the mismatched SSNs reported from 2006-2011 belonged to individuals who were born before June 16, 1901, and were almost certainly dead.<sup>19</sup>

An unknown number of the mismatched names and SSNs belong to U.S. citizen employees, who may have incorrectly entered their name or SSN on Form W-4 or may have changed a last name upon marriage or divorce without notifying the SSA. Among the most outrageous consequences of U.S. immigration politics is that very little is being done to protect the earned benefits of potentially millions of American workers because defenders of illegal immigration have successfully defeated, stalled, or constrained any process designed to uncover and rectify SSN discrepancies.

The government is certainly capable of discovering and acting upon SSN discrepancies using:

- **E-Verify.** For some years U.S. Citizenship and Immigration Services (USCIS) has collaborated with the SSA to provide employers the opportunity to verify electronically (E-Verify) that a newly hired employee has a valid SSN and is otherwise authorized to work in the United States.<sup>20</sup> Because use of this free system is still voluntary for most employers, fewer than 50 percent of new hires are covered.<sup>21</sup>
- **SSNVS.** The SSA has established the Social Security Number Verification Service, a version of E-Verify that enables employers, without involvement of USCIS, to verify the SSNs not only of newly hired employees, but also of their entire current payroll.<sup>22</sup> For most employers SSNVS is also voluntary.
- **No-Match Letters.** The SSA also has a longstanding program of notifying employers of mismatches between names and SSNs on Forms W-2 (so-called “no-match letters”),<sup>23</sup> but not all employers get letters, and those that do face no meaningful consequences if they ignore them.

Reliable data concerning the effectiveness of the SSNVS and the “no-match letters” is not readily available, but it is well documented that E-Verify works. E-Verify is being used by over 600,000 employers<sup>24</sup> and has one of the federal government’s highest user satisfaction ratings.<sup>25</sup> Even though it covers only about 44 percent of new hires,<sup>26</sup> in fiscal year 2014 employers that used the service identified over 280,000 unauthorized workers.<sup>27</sup> According to the Public Policy Institute of California, nearly 100,000 aliens left the unauthorized workforce in Arizona in the first year after the state mandated the use of E-Verify for all Arizona employers.<sup>28</sup>

Since employers who rely the most on unauthorized workers are the least likely to use E-Verify, universal enrollment in the program would presumably yield a much higher discovery rate. So-called “comprehensive” immigration reform legislation endorsed by both the Bush and Obama administrations would have mandated the use of E-Verify. Although mandatory use would have applied only to new hires, illegal workers tend to change jobs frequently. As E-Verify became progressively more universal and effective, they would find it ever harder to find work. Like temporary legal workers whose visas have expired, most would eventually run out of money and return home. The process would be slow and steady and largely invisible. Who has noticed the voluntary departure of over two million illegal immigrants during the Obama administration? There are arguments in favor of legalization, but calling up images of waves of humanity being dragged across the border is nothing but propaganda.

### *Soft Power Plan B: “G-Verify”*

Congress has so far been unable to mandate E-Verify, and may be unable to do so politically without also authorizing a mass legalization program. Nevertheless, the next president, like the incumbent, will have “a pen and a phone”. If Congress is unwilling to mandate universal E-Verify without an unacceptably broad legalization program, a new president could bring about a steady reduction of the unauthorized workforce by acting directly on the information in the possession of SSA through one or more Executive Branch programs that might collectively be referred to as “G-Verify” (“G” standing for government). Apart from protecting American workers from unlawful job competition, implementing an effective G-Verify program would be doing American workers, and even legal alien workers, a huge favor by ensuring that they receive the full Social Security benefits to which their earnings have entitled them.

Apart from politics, the chief impediment to cooperation among federal agencies in identifying unauthorized workers is section 6103(a) of the Internal Revenue Code, which bars the IRS from sharing taxpayer identity information for most non-tax enforcement purposes. The SSA takes the position that it is similarly barred, a position that could be questioned since it receives the Forms W-2 directly from the employers, not the IRS. Whether or not the SSA is subject to the same restrictions as the IRS, section 6103 itself contains exceptions to the section 6103(a) nondisclosure rule that may be relevant to a G-Verify program:

- Section 6103(k)(6) grants the IRS broad authority to share taxpayer information with other persons as needed to enforce the tax laws. The IRS has its own legitimate interest in fighting identify fraud in W-2 filings, as concretely demonstrated by the IRS’s payroll audit programs. An employee who knowingly enters a false name or SSN on Form W-4 has committed perjury, and both the IRS and the SSA have the authority to investigate and initiate prosecution of such crimes. If an employee refuses to cooperate with the SSA after receiving a no-match letter, then under author-

ity of section 6103(k)(6), the IRS and the SSA may arguably collaborate with each other and with DHS to ascertain the true identities of the individuals who completed the Forms W-4.

- Section 6103(i)(3) authorizes the IRS to share “return information” that may constitute evidence of non-tax criminal law violations to the head of the agency that enforces that law, but it may not disclose “taxpayer return information” (which is interpreted by the IRS to include Form W-2) unless the IRS possesses other “return information” that may constitute such evidence. Section 6103(b)(2) defines “return information” very broadly to include information collected by the IRS in determining the possible existence of a tax offense. Given that 55 percent of unresolved mismatches have been attributed to unauthorized workers,<sup>29</sup> the IRS or SSA might reasonably conclude that an employee’s refusal to cooperate with a no-match letter was evidence of a criminal violation of the immigration law by the employee or the employer that may be disclosed to DHS under the authority of section 6103(i)(3).

Whether or not the section 6103 exceptions authorize disclosures by the IRS or the SSA to USCIS, the IRS and the SSA each has its own interest in discovering and preventing identity fraud and ensuring wage and identity information are properly matched. For example, without involving USCIS, the president could direct the SSA to send a no-match letter to every employee who had reported an invalid or mismatched number, with a copy to their employers. The letter could point out that invalid or mismatched numbers are sometimes honest mistakes and that the employees should report to their local Social Security office within the next 30 days to straighten matters out. The letter could end by advising the employee that submitting a false name or number is perjury and punishable by a fine and/or imprisonment, but that the government will not initiate a perjury investigation if the local Social Security office concludes that the employee made an honest mistake.

A G-Verify program that threatened perjury investigations of noncooperating employees and employers would likely suffice to bring about the departure from the workplace of most employees whose discrepant SSNs were not a legitimate mistake. Nor would the government actually need to contact all employers and employees: based on a well-targeted initial effort, word would spread that the era of government indifference to identity fraud was coming to an end. Moreover, because the G-Verify process would play out over a period of years, the great majority of unauthorized workers would have time to arrange their affairs in order to make an orderly return to their homelands. As part of this or any other G-Verify program, it might make sense to offer temporary work authorization (say six months to a year) to any employee who admitted that he perjured himself to gain unauthorized employment and agreed to return home voluntarily.

**The “Safe Harbor Rule”: A G-Verify Prototype.** G-Verify is not a novelty. In the final years of the George W. Bush administration, DHS and SSA cooperated in designing a G-Verify prototype under which the SSA’s no-match letters to employers would be accompanied by a letter from DHS that promised not to use the no-match letter as evidence of unlawful hiring by the employer if the employer cooperated with the SSA in accordance with a DHS rule (the “Safe Harbor Rule”).<sup>30</sup> A suit against the rule was promptly filed and a few weeks later a U.S. District Court issued a preliminary injunction against the rule on the grounds that the plaintiffs had raised “serious issues” with the content and rulemaking procedure.<sup>31</sup> DHS proceeded to supplement the rule to address the court’s objections, but before the court could render a decision on the supplemented rule, the newly elected Obama administration revoked it.<sup>32</sup>

Had the Obama administration allowed the case to proceed, prevailed at the district court or on appeal, and implemented the supplemented rule, the illegal alien population today would very likely be only a fraction of the 11 million who were here when the president was first elected. The District Court’s main objection to the Safe Harbor Rule was the involvement of DHS in the no-match process. That same objection should not apply to a SSA program aimed at deterring identity fraud without USCIS involvement. However, at the president’s direction, SSA could institute its own version of the Safe Harbor Rule without involving DHS.

**Costs of G-Verify.** Owing to USCIS’s E-Verify program and the SSA’s SSNVS service, the technological infrastructure for a G-Verify program is already in place. Nevertheless, implementation of an effective G-Verify program might entail additional staffing at the SSA, the IRS, and/or USCIS, at least until the illegal alien population was substantially reduced. Here, the Obama administration, which concluded that it could divert budgeted funds to staffing its proposed amnesty programs for aliens who arrived as minors and their families, has set a useful precedent. In any event, whatever the costs of staffing a G-Verify program that sought to promote the slow but sure departure of the eight million “reluctants”, they are likely to be less than the costs of instead inviting all of them to stay through a mass legalization program that would entail the promotion, reception, vetting, and approval of millions of amnesty applications. (Neither an amnesty nor a G-Verify program would cost more than a tiny fraction of the mind-boggling expenditures that have been attributed to a mass deportation program.)

## Legalized Aliens

Since the government cannot know which illegal aliens would return voluntarily, any broad-based legalization program will effectively incentivize to stay many who would otherwise have returned home. In other words, a legalization program will reduce the numbers of both “voluntary” and “reluctant” returnees.

The purpose of this *Background*er is not to determine which, if any, illegally resident aliens should be invited to stay, but instead to demonstrate that the arguments for legalization should be made on their merits and not under the wholly specious presumption that those who are not legalized must then be hunted down and physically deported — a presumption that enables legalization advocates to avoid the tough decisions about which illegal aliens have so compelling a case that they should be rewarded for their law-breaking and not be treated the same way we treat legal visitors, i.e., after a period of years you must eventually pack your suitcase, gather your family, get on a bus or train, and go home.

Putting aside the specious argument that the only alternative to mass legalization is mass deportations, there remain both a practical argument and a moral argument in favor of at least a limited legalization program.

The practical argument is simple: Mandating universal use of the existing E-Verify system is a simpler solution for dealing with “reluctant returnees” than formulating and implementing a G-Verify system. However, under its current leadership the Democratic Party is unlikely to permit enactment of legislation that mandates E-Verify unless accompanied by legalization of a large part of the illegally resident population, under its current leadership, the Democratic Party, would likely block any reform of the immigration laws, no matter how sorely needed or widely agreed upon, unless it also includes an amnesty, especially for the approximately 700,000 aliens who came here as youngsters and are beneficiaries of President Obama’s Deferred Action for Childhood Arrivals (DACA) program.

The moral argument is more complex. Its premises are (1) the natural sympathy many Americans feel for aliens who have lived here a long time, whose children have spent their formative years in U.S. schools, and for whom repatriation might be a genuine hardship; and (2) recognition that our own government and the interest groups to which it attends share the blame for their being here.

Concerning the first premise, the fact that the illegal immigrants are better off here than they would be at home is not a sound argument for legalization. If we wish to bring relief to the billions of our fellow humans living in struggling, underdeveloped economies, bringing them here is a suboptimal solution. In the first place, we have more than enough poor and unemployed among the native-born and legal immigrant population<sup>33</sup> to exhaust the available private and public resources. In the second place, even the most generous immigration policy could benefit only a minute fraction of the billions who would raise their living standards by migrating to the United States or Europe. A warm heart should be governed by a tough mind, and wealthy countries motivated to help the foreign poor can help a vastly greater number of people by dedicating resources to the countries and regions where they live. According to the *New York Times*, the Norwegian Foreign Ministry calculated that, for the cost of supporting a single Syrian refugee in Norway, it could support 26 Syrians taking refuge in Jordan.<sup>34</sup>

Concerning the second premise, American citizens overwhelmingly favor border security and employment authorization measures that would have prevented so enormous an illegal population from arising in the first place. Instead, our government has bowed to the interests of a strange-bedfellows coalition of businesses seeking cheap labor and leftists intent on accelerating “demographic change”. We line our borders with fences and armed patrolmen, and then we put up a neon “Welcome” sign. According to Amnesty International, as many as six out of 10 female illegal immigrants from Mexico and Central America are raped on the way here.<sup>35</sup> Since the selfish interests that have kept up the “Welcome” sign could have been brought under control had the rest of us paid more attention, there is a serious, if not necessarily compelling, moral argument for a limited amnesty for true hardship cases.

If some version of amnesty proves to be a practical and/or moral imperative, what should be its parameters? As a practical matter, the broader the amnesty, the more likely it is to be saturated with fraudulent applications and injudicious approvals. As their advocates like to remind us, illegal aliens are “undocumented”, making it hard for Congress to develop eligibility standards that will allow those who qualify to prove that they meet them while excluding those who don’t, not to mention aliens with ties to drug cartels and jihadist groups. The Jordan Commission’s opposition to another amnesty was premised in part on the massive fraud that inevitably occurs when a government bureaucracy is forced to make determinations for millions of applications from individuals with limited paper trails. For example, the government legalized over 1.1 million

illegal aliens pursuant to the 1986 amnesty for illegal alien farmworkers even though the Department of Agriculture had estimated that there were no more than 350,000 illegal aliens employed in agriculture.<sup>36</sup> More recently, according to Kenneth Palinkas, president of the union representing 18,000 employees of U.S. Citizenship and Immigration Services (USCIS), President Obama's DACA program was reporting a 99.5 percent approval rate because USCIS leadership had intentionally put in place practices "to stop proper screening and enforcement" and to "guarantee that applications will be rubber-stamped for approval."<sup>37</sup>

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## End Notes

<sup>1</sup> ["Legal Immigration: Setting Priorities"](#), U.S. Commission on Immigration Reform, September 1995, p. 11.

<sup>2</sup> ["Becoming an American: Immigration and Immigration and Immigrant Policy"](#), U.S. Commission on Immigration Reform, September 1997, pp. 113-121.

<sup>3</sup> [Testimony](#) of Barbara Jordan, chair, U.S. Commission on Immigration Reform, before the U.S. House of Representatives Committee on the Judiciary Subcommittee on Immigration and Claims, February 24, 1995.

<sup>4</sup> Charles Krauthammer, ["The Immigration Swamp"](#), *The Washington Post*, August 20, 2015.

<sup>5</sup> ["Hillary Clinton: Republicans Want To Round Up Illegal Immigrants And Put Them In 'Boxcars'"](#), Real Clear Politics video, August 28, 2015.

<sup>6</sup> Janie Har, ["Ben Carson calls for guest-worker status for immigrants"](#), Associated Press, September 8, 2015.

<sup>7</sup> ["Kasich: Not Practical or Humane to Deport Millions of Illegals"](#), Associated Press, June 24, 2015.

<sup>8</sup> Donald J. Trump, ["Immigration reform that Will Make America Great Again"](#), Policy Paper, 2015.

<sup>9</sup> Alexandra Jaffe, ["Donald Trump: Undocumented Immigrants 'Have to Go'"](#), NBC News, August 16, 2015.

<sup>10</sup> Steven Camarota, ["2.5 Million Join Illegal Population under Obama"](#), Center for Immigration Studies, July 2015.

<sup>11</sup> ["2013 Yearbook of Immigration Statistics"](#), Department of Homeland Security, updated October 1, 2014, Table 25.

<sup>12</sup> ["U.S. Immigration Policy: Restoring Credibility"](#), U.S. Commission on Immigration Reform, September 1997, p. 22.

<sup>13</sup> Mitchell Landsberg, ["Obama hits Romney on 'self-deportation' of illegal immigrants"](#), *Los Angeles Times*, October 17, 2012.

<sup>14</sup> Estimate by David North for the Center for Immigration Studies, based on State Department data on the worldwide non-immigrant visa workload by visa category for FY 2014.

<sup>15</sup> Jessica Vaughan, ["ICE Records Reveal Steep Drop in Worksite Enforcement Since 2013"](#), Center for Immigration Studies, June 2015.

<sup>16</sup> ["Social Security: Better Coordination among Federal Agencies Could Reduce Unidentified Earnings Reports"](#), GAO-05-154, General Accounting Office, February 2005.

<sup>17</sup> ["Benefits and Limitations to Using Earnings Data to Identify Unauthorized Work"](#), GAO-06-814R DHS, General Accounting Office, July 11, 2006.

- <sup>18</sup> [Statement of Martin H. Gerry](#), deputy commissioner, Office of Disability and Income Security Programs, Social Security Administration, before the House Committee on Government Reform Subcommittee on Regulatory Affairs, July 25, 2006.
- <sup>19</sup> [“Numberholders Age 112 or Older Who Did Not Have a Death Entry on the Numident”](#), A-06-14-34030, Office of the Inspector General, Social Security Administration, March 4, 2015.
- <sup>20</sup> [E-Verify website](#), USCIS.
- <sup>21</sup> Comparing this [chronological summary of the milestones of the E-Verify program](#) from USCIS (23.9 million E-Verify cases 2013) to this Bureau of Labor Statistics [press release](#) on job openings and labor turnover (54.2 million nonfarm hires in the same year) yields an estimate of 44 percent of new hires screened through E-Verify in 2013.
- <sup>22</sup> [“The Social Security Number Verification Service”](#), Social Security Administration website, undated.
- <sup>23</sup> “Employers Guide to Timely Filing and Accurate W-2 Wage Reports”, Social Security Administration, May 2007, p. 24.
- <sup>24</sup> [“What Is E-Verify”](#), U.S. Citizenship and Immigration Services, updated June 25, 2015.
- <sup>25</sup> *Ibid.*
- <sup>26</sup> See note 21.
- <sup>27</sup> [“E-Verify Program Statistics”](#), U.S. Citizenship and Immigration Services, updated March 19, 2015.
- <sup>28</sup> [“Arizona’s E-Verify Mandate Reduces Number of Unauthorized Immigrants: But 2007 Law Also Pushes More Workers Into Self-employment”](#), Public Policy Institute of California press release, March 14, 2011.
- <sup>29</sup> [“E-Verify Program Statistics”](#), U.S. Citizenship and Immigration Services, updated March 19, 2015.
- <sup>30</sup> 72 Fed. Reg. 45611-24 (August 15, 2007).
- <sup>31</sup> *American Federation of Labor v. Chertoff*, 552 F. Supp. 2d 999 (2007).
- <sup>32</sup> DHS Press Release, “Secretary Napolitano Strengthens Employment Verification with Administration’s Commitment to E-Verify: Announces Intention to Rescind ‘No-Match’ Rule”, July 8, 2009.
- <sup>33</sup> Steven A. Camarota, [“Welfare Use by Immigrant and Native Households: An Analysis of Medicaid, Cash, Food, and Housing Programs”](#), Center for Immigration Studies, September 2015.
- <sup>34</sup> Hugh Eakin, [“Scandinavians Split Over Syrian Influx”](#), *The New York Times*, September 19, 2014.
- <sup>35</sup> [“Mexico: Invisible Victims. Migrants on the Move in Mexico”](#), Amnesty International, April 28, 2010.
- <sup>36</sup> Philip L. Martin, “Good intentions gone awry: IRCA and U.S. Agriculture”, *The Annals of the Academy of Political and Social Science*, Vol. 534, pp. 44-57 (1994).
- <sup>37</sup> “USCIS Union President: “Lawmakers Should Oppose Senate Immigration Bill, Support Immigration Service Officers”, Press Release, National Citizenship and Immigration Services Council, May 20, 2013.