

QUOTATIONS FROM LAWMAKERS

State Policymakers Critique E-Verify

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As state legislatures have considered bills that require employers to use E-Verify, Republicans and Democrats alike have raised concerns about the impact of the program on businesses and the economy. These policymakers are joining a growing chorus of voices who are sounding alarms about E-Verify and the consequences of mandating its use.

■ E-Verify places burdens on businesses and the economy

“The E-Verify system is far from perfect. It has tremendous costs to employers.”

—Republican Florida State Senator J.D. Alexander during floor debate on a state bill to make E-Verify mandatory¹

“We talk about ourselves as a pro-business state, yet we sit here preparing to go over a cliff.”

—Democratic Georgia State Senator Nan Orrock, commenting on a Georgia bill to make E-Verify mandatory for all employers²

“I’m against it. I can’t see any changes that will cause me to support it. The perception has been very negative for the state of Florida.”

—Republican Florida State Senator Miguel Diaz de la Portilla, commenting on the negative impact an E-Verify bill will have on the state’s tourism economy³

“We cannot support any legislation that would hurt Georgia’s reputation and economic well-being, particularly during such a severe economic downturn.”

—Democratic Georgia State Rep. Stacey Abrams, House Minority Leader, commenting on a bill to make E-Verify mandatory for all employers⁴

“You will be creating a mess and a more complicated system for small businesses. This will not solve the problem of illegal immigration.”

—Democratic Utah State Senator Luz Robles, critiquing a state bill which required businesses to use E-Verify⁵

■ E-Verify does not promise reliability or accuracy

“It is really difficult for an employer, and it is really difficult to get the [hiring] process checked.”

—Republican Texas State Rep. Patricia Harless, a former E-Verify user, commenting on a bill that would make E-Verify mandatory, stating that she has seen American workers erroneously flagged by E-Verify and that correcting errors can take days⁶

“There are questions being raised whether or not the E-Verify system is what we all assume that it is—easily used, reliable and accurate. . . . If that is a problem, then, of course, forcing someone to do something that’s not going to produce the results that you want is non-productive in the long run.”

—Republican Gov. Nathan Deal, commenting on concerns about a Georgia bill to make use of E-Verify mandatory a few months before he signed the bill into law⁷

“E-Verify is a program that is substantially flawed. . . . There is a fairly high level of both false positives and false negatives.”

—Republican Florida State Senate Judiciary Chairwoman Anitere Flores, during a hearing on a state bill to require businesses to use E-Verify. Although she was the original sponsor of the bill, she later relinquished the bill over concerns with its provisions.⁸



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“The concept of E-Verify is fine. The practice of E-Verify, however, is not so fine. There are a number of issues.”

—Republican Texas State Rep. Paul Workman⁹

■ E-Verify isn't effective or reliable

“E-Verify has not only proven to be divisive to our state, it simply doesn't work. It has ostracized our Latino communities, and has proved ineffective. We are one of only a handful of states using this system, and it has done more harm than good.”

—Independent Rhode Island Governor Lincoln Chafee, commenting on his decision to repeal an executive order that required some Rhode Island employers to use E-Verify¹⁰

“This is a very difficult issue. E-Verify is a tool but it's not a fool-proof tool.”

—Republican Texas State Rep. Byron Cook, Chairman of the Texas House State Affairs Committee¹¹

“[T]he E-Verify process has been inefficient and yielded negligible results.”

—Memo released by Democratic Minnesota Governor Mark Dayton's office. In 2011, the governor rescinded an executive order requiring employers with state contracts to use the program.¹²

“Most importantly, the database used for verification is still not sufficiently up to date to meet the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) requirements for accurate verification, especially for naturalized citizens . . . Mississippi's economy is growing; we have record employment. We don't want American citizens or others legally here to lose jobs because the verification system is technologically flawed.”

—Republican Mississippi Governor Haley Barbour, commenting on a bill that makes use of E-Verify mandatory in Mississippi on the day he signed the legislation into state law¹³

■ State Policymakers want federal immigration reform

“This country was based on immigration . . . And I resent it because we're asked to choose between hard-working people and somebody's uninformed knowledge. The issues are not here. The issues are in Washington and this isn't the answer.”

—Republican Florida State Senator J.D. Alexander¹⁴

“[I]t has caused needless anxiety within our Latino community without demonstrating any progress on illegal immigration . . . an issue I strongly believe must be solved at the Federal level.”

—Independent Rhode Island Governor Lincoln Chafee, commenting on his decision to repeal an executive order that required some Rhode Island employers to use E-Verify¹⁵

“We need to have an overall immigration policy that is logical and that works and is fair to Americans and fair to people that want to come to our country that we invite to come to our country.”

—Republican Florida Governor Rick Scott¹⁶

“The states should not be in a position of having to enforce laws which are the responsibility of the federal government.”

—Republican Indiana State Senator Ron Alting¹⁷

“If you're going to mandate and punish, you need some way to fill those positions legally.”

—Republican Utah Attorney General Mark Shurtleff¹⁸

“I appreciate your concern for this subject and you can rest assured that we have concern over this subject . . . The question is the proper approach to it.”

—Democratic Nebraska State Senator Steve Lathrop, discussing a proposal to require all employers to use E-Verify for new employers¹⁹

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Notes

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⁴ Georgia House Democratic Caucus Press Release, “House Democrats Show Solidarity, Oppose Immigration Bill,” Mar. 2, 2011, http://gahousedems.com/view_news.php?id=32.

⁵ Cathy McKittrick, “E-Verify Bill Clears Senate: Opponents say Proposal Won’t Solve Illegal Immigration,” *The Salt Lake Tribune*, Mar. 6, 2010.

⁶ Julian Aguilar, “E-Verify Battle Could Soon Greet Texas Lawmakers,” *The Texas Tribune*, Feb. 3, 2011, www.texastribune.org/texas-legislature/82nd-legislative-session/e-verify-battle-could-soon-greet-texas-lawmakers.

⁷ Jim Galloway, “Nathan Deal on Illegal Immigration: Questions Raised about Use of E-Verify,” *Atlanta Journal Constitution*, Feb. 8, 2011, <http://blogs.ajc.com/political-insider-jim-galloway/2011/02/08/nathan-deal-on-illegal-immigration-questions-raised-about-use-of-e-verify>.

⁸ Jim Ash, “Businesses Slam Plan for Immigration Bill,” *Pensacola News Journal*, Mar. 15, 2011.

⁹ Aguilar, *supra* note 6.

¹⁰ Office of Governor-Elect Press Release, “Governor-elect Lincoln Chafee Reaffirms Commitment to Repeal E-verify Executive Order,” Nov. 15, 2010, www.ri.gov/press/view/12631.

¹¹ Julian Aguilar, “Will E-Verify Bills Still Pass Texas Legislature?” *The Texas Tribune*, May 5, 2011, www.texastribune.org/texas-legislature/82nd-legislative-session/will-e-verify-bills-still-pass-texas-legislature/.

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¹³ Office of Governor Barbour Press Release, “Statement of Governor Haley Barbour on Senate Bill 2988,” Mar. 17, 2008, www.governorbarbour.com/news/archive/news/2008/mar/SB2988.htm.

¹⁴ Mazzei, *supra* note 1.

¹⁵ Governor Lincoln Chafee Inaugural Address, Jan. 4, 2011, www.projo.com/news/2011/pdf/chafee_inaugural_address.pdf, p. 3.

¹⁶ Kyle Munzenrieder, “Rick Scott Firm on Support for Arizona-Style Immigration Law as Bill Moves Forward,” *Miami NewTimes Blogs*, Jan. 27, 2011, http://blogs.miaminewtimes.com/riptide/2011/01/rick_scott_firm_on_support_for.php.

¹⁷ “Immigration Bill Q&A: What State Lawmakers Say,” *Journal and Courier*, Jan. 19, 2011.

¹⁸ Jeanna Smialek, “State Officials Say Lamar Smith’s E-Verify Bill Is Unworkable and Would Cost Americans Jobs,” *The Houston Chronicle*, July 20, 2011, <http://blog.chron.com/txpotomac/2011/07/state-officials-say-lamar-smiths-e-verify-is-unworkable-and-would-cost-americans-jobs/>.

¹⁹ Transcript of Nebraska Legislature Judiciary Committee Hearing, March 2, 2011, www.legislature.ne.gov/FloorDocs/Current/PDF/Transcripts/Judiciary/2011-03-02.pdf, p. 114.