



THE CAPITOLIST

ABIC Responds to Bogus Data Charge on CRC E-Verify Proposal

Brian Burgess

April 13, 2018

Late yesterday, following the publication of a story charging the American Business Immigration Coalition with pushing false data points to the Florida media, a spokeswoman for ABIC defended the group's decision to cherry-pick a single data point from 2008 and use it to construct a modern-day, worst-case scenario for the Florida economy. The group had earlier used business leaders, including former GOP mega-donor **Mike Fernandez** and agriculture CEO **Paul DiMare**, to promote their worst case scenario in the Florida media during a conference call yesterday.

In a press release sent to *The Capitolist*, ABIC spokeswoman **Rebecca Shi** defended the group's decision to use the decade-old data point (12 percent error rate experienced by a single company) rather than use current statistics from the federal government, which show an extremely high degree of accuracy with the E-Verify system (99.05%):

From the group's response:

The data point contested was ABIC's use of a 12 percent E-Verify error rate. This rate was cited originally in a 2009 independent audit by Westat, and again in a February 2013 study compiled by the National Immigration Law Center (NILC). This was the error rate that Intel Corporation reported that it experienced when it self-audited the Temporary Nonconfirmations (TNCs) it received in 2008. This error rate, which is higher than national average, is not a singular occurrence. The NILC report citing this data in fact cites that other companies have experienced similarly high rates in the footnotes of its report.

...It is not unreasonable to expect that if individual companies are reporting high error rates using the federal E-Verify system, that those errors would be all the more rampant in an unvetted state-created system. In addition the E-Verify rate is 13 times higher for legal immigrants and naturalized citizens, and in Florida 20% of the population has Spanish surnames. Using a 12% E-Verify error rate to calculate potential economic impact of a brand new, state-created E-Verify program in a state with 20% Spanish surnames is not "bogus".

But despite ABIC's decision to continue defending the inflated error rate, emails included in the response to *The Capitolist* show that Mike Fernandez would prefer to abandon the error rate argument and instead focus on other reasons for its opposition to CRC proposal 29. Fernandez writes:

Rather than debating the “percentages”, the question that should be asked is...

Why does the Florida Chamber of Commerce, The Koch Brothers and most major Florida employers oppose the homegrown Florida version of E-Verify? Are these groups “leftist leaning”. Any logical analysis of the proposal and its impact would say absolutely not!

Indeed, a review of a Florida Chamber of Commerce handout outlining the group's opposition to Proposal 29 makes no mention of the doomsday scenarios depicted using the bogus data ABIC. The Chamber's opposition to the proposal revolves around constitutional questions and regulatory issues. Nowhere does the Florida Chamber of Commerce state that the group's opposition is centered around economic devastation or wholesale destruction of the state economy:

“The Florida Constitution is the basis for our rights as Floridians. A flawed federal program, and the significant penalties this proposal imposes with its mandates, has no place in our constitution,” says **Mark Wilson**, President and CEO of the Florida Chamber of Commerce, in a pull quote at the top of the handout.

That argument may have some merit, but it wasn't the picture being painted for Florida journalists on the ABIC conference call yesterday.

ABIC's full press release responding to the story is here:

For Immediate Release

April 12, 2018
Rebecca Shi

Following is a statement from the American Business Immigration Coalition to the Capitolist's “bogus data” claims

On Thursday, April 12, The Capitolist published a story claiming that the American Business Immigration Coalition used “bogus data” to protest against Proposal 29, which would mandate that the Florida legislature create a state E-Verify system that all Florida employers would be required to use.

The data point contested was ABIC's use of a 12 percent E-Verify error rate. This rate was cited originally in a 2009 independent audit by Westat, and again in a February 2013 study compiled by the National Immigration Law Center (NILC). This was the error rate that Intel Corporation reported that it experienced when it self-audited the Temporary Nonconfirmations (TNCs) it received in 2008. This error rate, which is higher than national average, is not a singular

occurrence. The NILC report citing this data in fact cites that other companies have experienced similarly high rates in the footnotes of its report.

The fact is that Proposal 29 would mandate that the Florida legislature create a brand new E-Verify system, not yet tested, unlike the federal E-Verify system. It is not unreasonable to expect that if individual companies are reporting high error rates using the federal E-Verify system, that those errors would be all the more rampant in an unvetted state-created system. In addition the E-Verify rate is 13 times higher for legal immigrants and naturalized citizens, and in Florida 20% of the population has Spanish surnames. Using a 12% E-Verify error rate to calculate potential economic impact of a brand new, state-created E-Verify program in a state with 20% Spanish surnames is not “bogus”.

The article also claims that ABIC cited Cato Institute study as the source of our statement that 1.1 million legal Floridian workers being at risk of having their job delayed or lost due to E-Verify error. However, ABIC actually cited the Cato study because we used it to calculate the potential cost to employers to replace workers lost due to E-Verify errors. As clearly stated in our report, we calculated potential job losses or delays by multiplying the number of currently employed Florida residents (9,778,000) by 0.12 to calculate a 12 percent TNC error rate for all of Florida

Finally, the language in our report makes clear that the 1.1 million job delays or losses cited is not our “minimum” prediction, as The Capitolist states. We are clear in stating that these could be the results if the high error rate experience by the cited company (and similar high error rates cited by other companies) was experienced by Florida companies as a whole.

The overall findings of our report are consistent with many studies measuring the damage likely to be caused by mandatory E-Verify, or that already has been caused in states that have implemented it. The consistent thread through these reports is that mandatory E-Verify has caused legal American workers to have their jobs delayed or to lose their jobs; it burdens employers, especially small businesses and farmers, with paperwork and hidden costs; and unnecessarily disrupts our workforce, which has real-world bottom-line consequences for business owners and workers who are trying to support their families.