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E-Verify hasn't worked in other states. Why does Florida think it will?

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Nearly every year, someone among the ruling brain trust in Tallahassee champions E-Verify, a program that requires employers to check the immigration status of new hires.

The advocates talk about how enacting E-Verify for private businesses would send the message that the state is serious about rooting out undocumented workers, the ones taking jobs away from deserving Americans.

In Florida, the talking point took hold almost a decade ago, when a handful of mostly southern states began passing E-Verify laws. State lawmakers introduced bills, including one in 2011. Former Gov. Rick Scott made E-Verify a priority. Gov. Ron DeSantis has, too.

Republicans have dominated the Legislature for years and could have passed an E-Verify law several times without a single vote from a Democrat. But it hasn't happened.

Many powerful businesses and agricultural groups don't like E-Verify. And Florida lawmakers — Republicans, in particular — like to keep the private sector happy. Maintaining a friendly business climate has trumped immigration reform, at least so far.

Critics say E-Verify is badly flawed and has too many loopholes. For one, many undocumented workers use forged or borrowed documents that would allow them to slip through the system.

Like it or not, undocumented workers help build our homes, clean our hotels and pick our crops, the critics argue. Without them, costs will rise and consumers will pick up the tab.

Florida and about 20 other states already make some public employers and state contractors use E-Verify. A small number of private businesses use it voluntarily.

In 2011, prominent Republican Sen. J.D. Alexander, a blueberry and citrus farmer, said he supported immigration reform but made an impassioned plea to his colleagues to think twice about passing that year's E-Verify bill. He used the system when hiring workers, but called it glitchy and expensive.

"You can't get anybody to come do this stuff, folks," he said, describing why guest workers from Mexico picked his crops two years earlier. "Americans don't want to do it."

Businesses would have to run every new hire through the federal E-Verify database, which checks a worker's employment paperwork against government records. The estimated cost

ranges from as low as \$3 a worker for companies with large numbers of employees to more than \$60 for smaller businesses.

For the law to matter, the state would have to punish businesses that consistently hire undocumented workers. That's hard for many pro-business Republicans to stomach. They want to curtail illegal immigration, but they don't like the idea of kneecapping the local construction company or processing plant.

Just look at the seven southern states that require businesses to use E-Verify. None had canceled a single business license and only Tennessee had assessed any fines, Bloomberg Businessweek reported last year in an article titled "The South's Pretend War on Immigration."

Georgia hadn't bothered to fund the department tasked with auditing whether companies were complying with the E-Verify law, *Bloomberg* found. In Mississippi and Alabama, no one seemed to know which department enforced the law.

In some states, politicians water down the E-Verify laws with exemptions for farm workers, seasonal workers, maids and nannies.

In 2008, Arizona was the first state to enact an E-Verify law for the private sector, which included revoking the business licenses of repeat offenders, dubbed a "death sentence."

Arizona businesses only ran about 60 percent of new hires through the system, according to a report from the Cato Institute, a libertarian think tank. Despite shoddy compliance, the state "executed" only three companies for knowingly or intentionally hiring illegal immigrants. Two of them were already in bankruptcy.

Cato's director of immigration studies, Alex Nowrasteh, called E-Verify ineffective and another layer of unneeded bureaucracy.

"Far from a silver bullet, E-Verify is shooting blanks," he wrote in a recent article.

The political crowing about E-Verify can feel convenient. Politicians score points for sounding tough on illegal immigration, without ticking off businesses by actually enforcing the law.

Will Florida be different?