E-Verify program sows divisions in Florida Republican Party

David C. Adams

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A proposed Florida law seeking to enforce the federal E-Verify employment restrictions, is creating divisions in the Republican party in the swing state that could determine the outcome of the 2020 elections.

Florida's Republican Governor, Ron DeSantis, made stricter enforcement of immigration controls a key platform of his 2018 election. But he is meeting resistance from within his own party as well as a traditionally conservative voting block, the state's powerful business associations led by the Florida Chamber of Commerce who argue it is an unnecessary imposition as well as ineffective and costly.

E-Verify is the federal program that electronically compares information from I-9 tax forms with federal Department of Homeland Security and Social Security Administration databases. E-Verify is mandatory for at least some employers in 20 states and in Florida, it has been required for all new agency employees since 2011. But it does not cover private sector employers.

DeSantis has pressed the reluctant Republican Party leadership to endorse a bill in the Florida legislature that would expand E-Verify to all jobs in the state, arguing that it will help create better paid jobs. "I think [E-Verify] tightens the labor market, has rising wages at the bottom for our blue-collar workers here in Florida. I think that's something we should all want to see," he told reporters following his recent State-of-the-State address to the legislature.

The bill's critics say it's not the job of employers to check the authenticity of official documents, and that anyway, unemployment is currently so low the government should be encouraging more foreign workers, not creating more obstacles for undocumented immigrants.

 "We have been saying for a very long time that immigration should be handled by the federal government," said Edie Ousley, vice president for public affairs at the Florida Chamber of Commerce.

"There is a long and clear history of E-Verify being riddled with problems," she told Univision Noticias, suggesting that Congress needed to pass comprehensive immigration reform in order to create a more stable and skilled work force.

Potential employees in Florida are currently required to present two forms of ID, a birth certificate, passport or green card, which employers can accept on good faith. "The documentation that our employees provide we have to accept at face value," Tony DiMare of DiMare Farms told the Florida Roundup on National Public Radio.

"We go through all the rigors that are required by the federal government when we employ our people. That's not our job as an employer to scrutinize and potentially discriminate against any potential employee," he added.

Di Mare and others say they are all for securing the nation's borders. "But it should not be the employer's responsibility to go beyond it. That's the federal government's responsibility, that is not for an individual employer to do."

DeSantis earlier this month hailed Florida's low unemployment rate which is down to three percent, the lowest in almost 50 years.

But business associations warn it's now so low they are having trouble filling jobs. "With the level of employment where we are right now, implementing a program like this …would cause devastating effect to a lot of industries and it would be detrimental economically long term and short term," said DiMare.

An estimated 425,000 unauthorized immigrants, about seven percent of the population, reside in the greater Miami-Fort Lauderdale-West Palm Beach area alone, according to the Pew Research Center.

Rather than cracking down on undocumented workers, DiMare and others say the government needs to create a guest worker program to address the labor shortage.

Republican leaders in the legislature have refused to endorse the DeSantis-backed bill. On Monday, the party voted reluctantly to endorsed E-Verify via conference call, though only after the Governor's office lobbied members, according to Politico.

Critics accuse DeSantis of using E-Verify to look tough on immigration to please the pro-Trump base of the party. "It makes him look tough, but it achieves very little," said Alex Nowrasteh, director of immigration studies at the Cato Institute, a free market think tank which opposes excessive government regulation.

The governor's spokesperson, Helen Aguirre Ferré, did not return a message seeking comment on the division in the party.

Republican supporters of E-Verify accuse party leaders of pandering to big business, and political donors. Opponents of the bill were "weak-kneed Republicans more focused on special interests than Florida workers," said Florida congressman Matt Gaetz, an outspoken supporter of Trump on Fox News, wrote in an opinion article published by the Tallahasee Democrat.

Supporters of E-Verify deny the claims of technical issues saying it's a simple process that checks applications quickly and efficiently.
However, others say the system is far from infallible and even though it catches fake documents it can still be fooled with real identify documents that are borrowed or stolen. It also requires the creation of a new tier of state bureaucracy to audit companies to make sure the law is being enforced.

Few states have created enforcement mechanisms and compliance varies from state to state. E-Verify has had most success in Georgia, with 94 percent of hires screened between July 2016 and June 2017, according to a study by the Pew Charitable Trust.

In Arizona the state legislature created a 'Business Death Penalty' to punish those caught not using E-Verify. But in practice it only has a 60 percent compliance rate. In Mississippi only 45 percent of new hires were screened by E-Verify, according to the Pew study.

In South Carolina violators can have their business license suspended if they fail an audit, but the state still only had a 53 percent compliance rate in 2017.

"People have been saying E-Verify is a silver bullet that will solve everything. But no-one's called them on it. It's an exercise in futility," said Nowrasteh, who predicted it will only increase identity fraud.

"It's like spinning your wheels in the mud until you run out of gas. You won't crash into anything, but you aren't going anywhere either," he said.