

BUSINESSES CRITIQUE E-VERIFY

What Employers Are Saying

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While E-Verify is intended to be a tool to help employers in the hiring process, many employers have raised concerns around accuracy, costs, and the resources it takes to use it. Certain industries, such as agriculture, would be decimated if the program is made mandatory.

E-Verify doesn't promise reliability or accuracy

"Johnson said he's rejected job applicants who didn't pass under E-Verify only to learn later they were in the country legally."

—*Greenville News*, quoting Charles Edward Johnson, owner of a leasing business in Woodruff, South Carolina¹

"He's a permanent resident who has been living here for 20-something odd years. It was frustrating for me and for (him) as well, but finally it took."

—Jim Rieff, owner of Rieff Construction in Fountain Valley, Calif., commenting that he had to wait eight weeks for one of his employees to clear E-Verify²

"[F]lawed."

—Brewster Bevis, Associated Industries of Florida, commenting on E-Verify and its error rates³

"The concern most frequently identified by Arizona employers with E-Verify is that [tentative nonconfirmations] are sometimes issued on work-authorized individuals."

—Citizenship and Immigration Services Ombudsman report based on interviews with employers⁴

"When the system's accuracy is improved to the 99% level, we will be glad to use it. But, until then, it will do more harm than good."

—Mike Bruner, Associated Builders and Contractors of Florida⁵

"We don't think the database is mature enough to meet the requirements it's asked to do . . . Our concern with the system is it is imperfect."

—Mike Salsgiver, Oregon-Columbia chapter of Associated General Contractors⁶

"The problem we have is the E-Verify system doesn't do what it purports to do."

—Tom Bingham, Utah Manufacturers Association⁷

"Bottom line . . . I don't want to make the 5 o'clock news by complying with a broken system."

—Employer's response on a survey, expressing concern that E-Verify would "verify" undocumented workers as eligible to work and then the employer would be held liable⁸

"E-Verify is a joke."

—Ron Williams, Republican resident of Moss Point, Miss., who runs a hazardous waste cleanup company⁹

E-Verify places burdens on small businesses

"There are many small employers that still exist without any type of computers in use—forcing them to purchase a computer and pay for monthly Internet charges could be a hardship."

—Employer comment in Westat Corp.-conducted survey¹⁰

"Many smaller businesses are just not prepared for this kind of effort."

—Dan Haskell, Tennessee Jobs Coalition, commenting on a Tennessee bill that would make use of E-Verify mandatory and noting that 10 percent of Tennessee's 200,000 businesses don't even have computers¹¹

"[F]or small businesses and for farmers, we just believe it's going to be a more cumbersome thing than a lot of people tend to think."

—Jon Huffmaster, Georgia Farm Bureau¹²



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“Mandating E-Verify will have negative effects on employers, especially small business owners. Mom-and-pop businesses don’t always have the resources required to use it. Small businesses don’t have human resource departments; they sit around the kitchen table at night to make decisions.”

—John R. Smith, Palm Beach County’s BizPac and owner of a financial services company¹³

“The cost, technological demands and staff time the E-Verify system requires comes at a time when small businesses are struggling already.”

— Juana Horton, owner, Horton Interpreting Inc., Rhode Island¹⁴

“[I]t’s another cost when you consider time or money to small businesses.”

—Brian Anderson, Dalton-Whitfield Tennessee Chamber of Commerce¹⁵

“I don’t think people are going to really embrace E-Verify.”

—Mike Castillo, owner of PostalMax in Arizona, commenting that use of E-Verify takes away from core business if the owner doesn’t have the luxury of a human resources department¹⁶

“Some employers are resentful for being additionally deputized as Border Patrol agents . . . [E-Verify] puts employers on the spot to deal with a national and societal problem that they’re really not suited to deal with.”

—Bruce Clark, President and CEO of CAI¹⁷

“It adds another human resource and legal obligation to restaurants. Instead of ensuring food safety and food quality and spending time with customers, restaurant owners will be spending time doing administrative functions that may work or may not work.”

—Karen Bremer, Executive Director of the Georgia Restaurant Association¹⁸

“Our industry and many others are already hurting . . . Although we do not employ illegal aliens, this legislation targets small businesses and costs valuable time and resources.”

—Amber Gladson, The Lawn Care Company, on an ordinance proposed in Missouri requiring employers to use E-Verify¹⁹

“A lot of medium to large firms have [begun using E-Verify] . . . but to the mom-and-pop business, especially, it’s going to be a real onerous burden that I’m not all that sure is necessary.”

—Jim Anderson, President, Springfield (Missouri) Area Chamber of Commerce, on an ordinance proposed in Springfield requiring employers to use E-Verify.²⁰

“The E-Verify system could be costly for employers . . . This could add unnecessary expenses for many small businesses like small limited service hotels and restaurants that have a higher turnover of personnel. In talking with several restaurant owners, some of them are concerned about the costs of processing each employee when they hire many part-time and temporary workers for summer season. Many high school students and seniors work in restaurants and this could add a lot of costs to small-business owners.”

—Marco A. Barros, President/CEO, San Antonio Area Tourism Council²¹

“The balance sheet on E-Verify is simple: it’s bad for small business, bad for our workforce, and bad for the country’s bottom line.”

—David Borris, Owner of Hel’s Kitchen Catering and member of the Main Street Alliance’s steering committee²²

E-Verify is not easy to use

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

—Patricia Harless, Republican Texas state legislator and former E-Verify user, commenting that she has seen American workers erroneously flagged by E-Verify and that correcting errors can take days²³

“It’s not an easy system to use.”

—Janice Truhan, City Clerk of Jonesboro, Georgia²⁴

“For a company that does a lot of hiring or has a lot of turnover, it’s going to be cumbersome, and sometimes it’s not accurate.”

—Mike Seney, Oklahoma Chamber of Commerce²⁵

“[W]e have one company that I know about that required a year to implement [E-Verify] properly . . . Even medium and large businesses can get hung up working with their legal and human resources departments, ensuring that implementation is done properly”

—Heath Weems, National Association of Manufacturers²⁶

“We just hope elected officials will make sure they understand the overall economic impact of their actions. This is not a time to be losing jobs.”

—Mike Carlton, Florida Fruit and Vegetable Association²⁷

“Are we setting ourselves up to turn the tables on our economy instead of to grow our economy?”

—Bryan Tolar, Georgia Agribusiness Council, commenting on a bill that would make use of E-Verify mandatory²⁸

“Associated Industries of Florida does not believe that mandating burdensome federal programs on Florida’s businesses, in the form of the flawed and error prone E-Verify system, is what the state’s employers need in these tough economic times.”

—Brewster Bevis, Associated Industries of Florida²⁹

“I do not know of anything that I don’t have to pay for the right to do it through a license or fee. The last thing we need as business owners is another fee put on us to ensure we don’t hire illegal immigrants.”

—Jack Nelson, business owner in Trinity, Alabama³⁰

“Preparing for the transition to using E-Verify was extremely costly and disruptive to our operations.”

—Mitchell C. Laird, MCL Enterprises, Arizona³¹

“I couldn’t get the system to work...I did all the things I was supposed to do. It is horrible.”

—Nan Riegle, part-time city clerk, Parrott, Georgia, on using E-Verify to verify a business-license applicant³²

E-Verify’s impact on the economy

“Florida is highly dependent on international tourism from Latin America and we’re highly dependent on global trade. For the state of Florida this was going to wreck our economy at a time when Florida was dealing with near record unemployment, almost 12 percent.”

—Jose Gonzalez, VP for Governmental Affairs, Associated Industries of Florida³³

House Judiciary Committee Chair Lamar Smith’s legislation mandating the use of an E-Verify-type program is “a recipe for disaster, not only for agriculture but for the national economy . . . In the worst case, you could see some Oregon operations crumble.”

—Jeff Stone, Executive Director, Oregon Association of Nurseries³⁴

“Mandatory E-Verify constitutes a tax increase on Florida employers . . . Mandatory E-Verify will hurt Florida businesses . . . E-Verify incentivizes identity theft and forces employers to become document experts.”

—Florida Chamber of Commerce³⁵

Employers want real immigration reform

“It’s not a pretty picture and it’s not a simple world. It begs for a federal solution, which would make more sense than 50 different state solutions.”

—Keith Cheatham, Virginia Chamber of Commerce³⁶

“We consider immigration to be a national matter and renew our call on Congress to pass comprehensive immigration reform . . . Our first choice is for the [Texas] Legislature to leave this issue alone and perhaps pass a resolution or two memorializing Congress to get off the dime and pass a [comprehensive immigration reform] bill.”

—Bill Hammond, Texas Association of Business³⁷

“[W]e need some type of system that lets immigrants come into this country to work, because we need them.”

—Rodney Dawson, Georgia farmer³⁸

“My complaint is that the federal government has just sat back and let this thing happen . . . and now all of a sudden we have 18 months to try to correct the situation.”

—Perry Arant, co-owner of Orangeburg Milling Company in South Carolina³⁹

“But I think we’re missing the real issues around our immigration practices and I’d like to see the political debate center around that real issue. To assume that this practice will stop/reduce illegal immigration is false; it will however encourage illegal activity as a means for survival.”

—Employer quoted in a study of why businesses don’t use E-Verify⁴⁰

“This bill looks good, smells bad and does very little to help the problem.

—Jim Brown, Tennessee National Federation of Independent Business, commenting about whether E-Verify will ensure that workers are in the U.S. legally⁴¹

“Furthermore, employment [eligibility] verification is only one aspect of our broken immigration system. Thus, permanent reform of our employment

verification laws should occur in conjunction with comprehensive immigration reform.”

—Letter to DHS Secretary Janet Napolitano from 75 business coalitions⁴²

“As the Congress begins deliberation on mandatory E-Verify, we have serious concerns with yet another regulatory burden, E-Verify’s accuracy and cost to implement. Mandating another layer of bureaucracy without providing employers with reasonable timely avenues to obtain workers is not helpful in this economy. We ask you to work for real immigration reform rather than short-term political statements.”

—Letter to Congress from Kansas Business Coalition⁴³

“There will be a high cost to implement E-Verify . . . according to GAO federal reports; it could be as high as \$1 billion to implement this program. I think there are other pressing issues on immigration that need to be worked out before this program is implemented. Our industry has to bring temporary employees from Europe and Caribbean countries during high season and summer months as there are not enough workers available. The H-2A (visa) program does not provide enough labor for the country and we must seek temporary workers solutions to deal with the lack of workers available in many industries. This is not just affecting tourism, but other industries such as agriculture and construction. Our pool of employees is not adequate.”

—Marco A. Barros, President/CEO, San Antonio Area Tourism Council⁴⁴

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NOTES

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