

The SAVE Act (H.R. 4088/ S. 2368)

The Secure America Through Immigration and Enforcement or “SAVE Act” (H.R. 4088/ S. 2368) was introduced in November 2007 by Reps. Shuler (D-NC), Bilbray (R-CA) and Tancredo (R-CO), among other members of the House of Representatives, and by Senators Pryor (D-AR) and Landrieu (D-LA) in the Senate. The “SAVE Act” is an all-enforcement, all-the-time bill that offers a false solution to a real problem.

Our leadership in Congress should focus on making our immigration system more efficient, effective and fair rather than grasping for false promises.

- This bill seeks to more harshly enforce laws that have, over the last 20 years, failed to provide control over immigration. This bill is just more of the same. It throws billions of dollars at a problem without addressing the elephant in the room: the lack of any viable path to citizenship for millions of hard-working immigrant families. The bill sponsors are rejecting the reality that our immigration system is in dire need of an update.
- Without comprehensive immigration reform that meets American businesses’ demand for new workers, this program will only further penalize hard-working immigrant communities and cause many businesses and industries to move into an underground cash economy.
- Politicians who have taken an anti-immigrant stance have not done well at the polls. Yet, the SAVE Act focuses on enforcing punitive and ineffective laws and will only further alienate Latino voters.
- This bill will put all workers--including U.S. citizens--at risk by mandating the use of an employment authorization verification system that relies on government databases with high error rates. At the same time, the bill does not safeguard the rights of citizen or immigrant workers.

The SAVE Act includes the following, among other harmful provisions:

- The SAVE Act would dramatically expand a government program called the “Basic Pilot” (recently rebranded as E-verify)--an unwieldy and unworkable electronic system that requires employers to check the names of new workers, including U.S. citizens, against faulty government databases to determine if the job applicant is legally permitted to work in the United States.
- Under the SAVE Act, ALL employers in the U.S. would be required to use the E-verify system within three years. Recent government-sponsored studies have shown that the Basic Pilot/E-verify has significant weaknesses, including its reliance on government databases that have unacceptably high error rates. The Social Security Administration (SSA) estimates that 17.8 million of its records contain errors related to name, date of birth, or citizenship status, and 12.7 million of those records relate to U.S. citizens.
- If this law were in place now, the errors in the SSA database alone could result in 2.5 million people a year being misidentified as unauthorized for employment. Workers, including U.S. citizens, will get caught in this faulty system and lose their jobs.
- In a half-baked attempt to address our immigration crisis, the bill would throw more resources toward ineffective border and interior enforcement rather than offering a comprehensive solution to the crisis.
- The bill puts the stamp of approval on detaining children and dramatically expands detention space, without effectively addressing widespread concerns about the way our government treats immigrant detainees. Rather than reforming the Department of Homeland Security, it expands a system that is often criticized for its lack of fairness, humanity or efficiency.

The Democratic leadership has a limited window of opportunity to stand up to anti-immigrant members of both parties who will support this poorly crafted bill for short-term political gain, at the expense of long-term solutions. Congress should build a fair system that restores order to our immigration system.