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## MEMORANDUM

**TO:** Senate State Government Committee

**FROM:** Andy Hoover, Legislative Director

**DATE:** February 7, 2011

**RE: OPPOSITION TO SENATE BILL 9**

On Tuesday, the Senate State Government Committee is scheduled to consider Senate Bill 9. This legislation mandates that recipients of public aid, such as unemployment compensation, show government-issued identification before receiving aid, with few exceptions. SB 9 has the potential to bar 1.3 million Pennsylvanians from receiving aid, and there is no evidence that the purported problem SB 9 is trying to resolve actually exists. The American Civil Liberties Union of Pennsylvania opposes SB 9, and on behalf of the 18,000 members of the ACLU of PA, I urge you to please vote “no” on the bill.

In 2006, the Brennan Center for Justice at New York University School of Law conducted a survey to determine what percentage of United States citizens does not have government-issued photo identification.<sup>1</sup> The study found that 11 percent of U.S. citizens do not have government-issued identification. When the survey results were analyzed by demographics, it found that those without this form of ID are disproportionately those who might need public aid. Eighteen percent of citizens age 65 or over, 25 percent of adult African-Americans, and 15 percent of citizens who earn less than \$35,000 per year do not have government-issued photo ID.

Currently, most applicants for public aid in Pennsylvania do show some form of identification. If an applicant cannot produce ID, the issuing agency will work with the applicant to find records that confirm the person’s identification, such as medical records or school records.

SB 9 shuts off this alternative form of verification.

Pennsylvania is not trailblazing on this issue. In 2006, Colorado passed a similar piece of legislation with a government-issued ID requirement. Colorado found that it spent \$2 million to implement the program and saved no money.<sup>2</sup>

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<sup>1</sup>NA. (2006) *Citizens Without Proof: A Survey of Americans’ Possession of Documentary Proof of Citizenship and Photo Identification*. Brennan Center for Justice at New York University School of Law. Available at [http://www.brennancenter.org/page/-/d/download\\_file\\_39242.pdf](http://www.brennancenter.org/page/-/d/download_file_39242.pdf).

<sup>2</sup> Couch, M.P. (2007) Colo. immigration law falls short of goal. *The Denver Post*. January 25, 2007. Available at [http://www.denverpost.com/ci\\_5081255](http://www.denverpost.com/ci_5081255).

Since then, multiple states have altered their verification process without including a government-issued ID provision. Georgia, Idaho, Missouri, Nebraska, Oklahoma, South Carolina, Utah, and Virginia have all passed verification-related bills without going as far as SB 9.

If SB 9 passes into law, it will be a net loss for the commonwealth. Multiple state agencies have estimated that the total cost of SB 9 will be \$19 million. Meanwhile, no legitimate evidence exists that immigrants who are not eligible for benefits are fraudulently receiving aid. The 2009 study from the Federation for American Immigration Reform (FAIR), which is sometimes cited by supporters of SB 9, has been debunked as junk analysis.<sup>[3]</sup>

SB 9 will cost Pennsylvania money and bar public aid from eligible citizens. Please vote “no” on this bill.

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<sup>3</sup> Ewing, W. (2009) FAIR Targets Immigrants and Children. Available at <http://immigrationimpact.com/2009/07/28/fair-targets-immigrants-and-children-in-pennsylvania/>.