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Illegal Immigration, Jobs Back in Spotlight at E-Verify Hearing

By Keith Johnson
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Since the demise of the DREAM Act, immigration as a hot-button issue has simmered quietly in the Beltway background. Not anymore. Today, the House Judiciary Committee is holding a markup hearing on the Legal Workforce Act, a bill designed to make the use of E-Verify mandatory for all employers in the U.S.

Immigration, if not exactly the electronic verification program, has popped up in recent GOP primary debates; Texas Gov. Rick Perry, for instance, was excoriated for his approach to immigration in the Lone Star State, and there was plenty of sturm und drang over the need (or not) to wall off the southern border.

But the coming tussle over the e-verify bill introduced by Rep. Lamar Smith (R., Texas) puts the spotlight squarely back on jobs. That is: Do the eight million or so undocumented workers in the U.S. take jobs from Americans who desperately need work? If so, would expelling illegals greatly ease unemployment?

Rep. Smith sure thinks so. His bill would make it incumbent upon every American employer outside agriculture to check every new hire through the government database system. That database, E-Verify, has been around in one form or another since the mid-1990s, and is currently used voluntarily by some businesses, and is mandatory in some states, such as Arizona.

“A federal E-Verify requirement...is one of the best options on the table to put unemployed Americans back to work,” he said this week. A host of business groups, led by the U.S. Chamber of Commerce, have thrown their weight behind Mr. Smith’s bill. It’s not entirely clear how many unemployed Americans and illegal immigrants really are scrapping over the same jobs—labor-market economists offer theories for all tastes.

Plenty of others—including such unlikely bedfellows as the American Civil Liberties Union and the WSJ editorial page—are aghast at the idea. Their objections in a nutshell: The system doesn’t appear very good at identifying illegal workers, would likely bar huge numbers of legal Americans from taking a job thanks to all the false positives the database throws out, and would just push undocumented workers into the informal economy where they’d pay fewer taxes.

Or as Tyler Moran, the policy director of the National Immigration Law Center, put it in congressional testimony: “The Legal Workforce Act will worsen unemployment rates, cause billions of dollars in lost tax revenue, and leave both employers and workers in the agricultural

industry vulnerable. And this is all for a program that doesn't work: 54 percent of undocumented workers who are run through E-Verify are not detected.”

At any rate, Rep. Smith's legislation is still just a bill, a poor lonely bill, and any similar proposal faces a real uphill battle in the Senate. But immigration has elbowed its way right into the jobs debate—and right in time for the primary season.