

House Subcommittee on Immigration Policy and Enforcement

A Preview of What's to Come

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Washington D.C. - Today, the newly named House Subcommittee on Immigration Policy and Enforcement held its first hearing of the new session entitled, "ICE Worksite Enforcement - Up to the Job?" The name change seems to be a signal that Judiciary Committee Chairman Lamar Smith and Subcommittee Chairman Elton Gallegly will focus on enforcement, rather than immigration reform this session. It is hardly surprising, then, that the first hearing of the year was designed to challenge the Obama administration's decision to move from the massive worksite raids of the past to the use of employer worksite audits.

The following statements were made today during a pre-hearing press conference call organized by the Immigration Policy Center:

Mary Giovagnoli, Director of the Immigration Policy Center said:

The Obama Administration's stepped up worksite enforcement efforts include conducting a record numbers of I-9 audits and collecting millions of dollars in fines. While this is an improvement over the arrests and round-ups involved in large-scale raids, which targeted workers, this new strategy is not without controversy. Across the country, I-9 audits, when not carefully conducted within the guidelines ICE has set for itself, can inadvertently lead to hardships for employers and workers alike, leading to the firing of thousands of workers, and leaving employers without the workers they need. If today's hearing is any indication of the committee's long-term vision, then we are in for sound bites rather than substance, and a call for the good old days of immigration enforcement first and forever."

Emily Tulli, Policy Attorney at the National Immigration Law Center said:

"This enforcement-only agenda, with military-style raids as its centerpiece, may make for good PR, but it is ineffective policy. These raids terrorize communities, shutter businesses, and hurt our local economies. This enforcement-only model is not only unsustainable and inhumane, but also doesn't fix our broken immigration system. Instead of looking backwards, we need to focus on practical solutions that help American workplaces thrive. ICE has a unique opportunity to meet their goals while helping to support labor law enforcement. Our economic recovery depends upon allowing good employers to thrive, while ensuring that bad apple employers who exploit workers are appropriately punished. ICE should use its significant enforcement dollars to target and penalize the worst employers, helping to create an incentive for employer compliance with immigration and labor law."

Javier Morillo-Alicea President of Service Employees International Union Local 26 in Minneapolis, Minnesota said:

"We are going to see more and more small business going underground and paying people off the books as a way not to be audited. The assumption that an ICE audit results in unauthorized workers being replaced by authorized workers should be checked. It's time for us to look at the problem and understand that we cannot deport our way out of illegal immigration nor can we audit our way out of illegal immigration."

Dan Siciliano, Senior Lecturer in Law and Associate Dean for Executive Education and Special Programs at Stanford Law School said:

"There is no evidence to support the idea that worksite raids open up jobs for U.S. workers. Most immigrant workers-mid-skill, low skill, documented and undocumented-don't compete with American

workers. The 2010 Census is showing us that this trend has accelerated over the last decade. We have a low-skilled worker gap in the country. The overall skill level of US workers is increasing, which means those low skill jobs are becoming harder to fill. It isn't right to look at the economy and workforce as a set of little boxes whereby you pluck someone out of workplace, leaving a perfect empty seat for someone to fill. Labor force dynamics are much more complex than that."

Also see additional IPC resources on this topic:

- [A Framework for Effective Immigration Worksite Employer Enforcement \[1\]](#) (IPC, January 25, 2011) This paper provides background on immigration worksite enforcement efforts and lays out principles that can be used to evaluate the effectiveness of the administration's immigration worksite enforcement program. The principles include: accountability to stated priorities, accessibility of information, uniformity and consistency of standards, and proportionality of sanctions.
- [After the Raid is Over: Marshalltown, Iowa and the Consequences of Worksite Enforcement Raids \[2\]](#) (IPC Special Report, January 25, 2011) This paper examines the effects of a large immigration raid on a single company in America's heartland. It reviews the ICE raid on the Swift & Company pork processing facility in Marshalltown, Iowa in 2006 and the toll it has taken on the community's financial, social, and human capital.

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