

## The Idiocy Of The New US Immigration Bill

I have written before about this particular sort of stupidity, but the "new ideas" presented in the legislation now being debated must reach a new low.

Let us first deal with the myths and truths that are out on the table regarding the US Immigration policy, specifically dealing with Mexican Immigrants, and then analyze whether any of the political activities currently underway on The Hill will make a hill of beans worth of difference.

- *Immigrants cross illegally to better themselves and their families. True.* The Mexican government is horribly corrupt and the Mexican economy as a consequence suffers mightily. While there is a working class in Mexico it is far less of a "fair" society, where hard work and industry are rewarded than in the United States.
- *Immigrants are doing jobs that Americans won't do. False.* What Immigrants are doing is jobs that Americans won't do at the offered wage. This is important, because as we shall see below, the current policy won't solve the problem "and in fact may make it far worse than it is now!"
- *We cannot possibly deport 11 million illegal immigrants. True.* But we can destroy their employment and by doing so, they will leave of their own accord. Without the means to work in the United States they will have no incentive to remain here.
- *Immigrants are not lawbreakers; they just want a better life. False.* ALL illegal immigrants broke the law by coming here illegally. Many broke further laws by stealing or forging identification from other, legal US Citizens in order to be able to work in this country.
- *We can't identify these people, and thus, we can't readily figure out who they are. False.* If someone is using a stolen Social Security number, the government knows, because there are two payments being made into the system for the same identifying number in two different places. Unless the two employers are in the same immediate geographic area it is a physical impossibility for a single person to be working two jobs.
- *We don't have a good way to find out which employers are hiring illegal immigrants. False.* There is already a mandatory "new hire" reporting system in place that is ostensibly used to track down "Deadbeat Dads". As a former employer I was required under penalty of federal law to report all new hires within a very short period of time.
- *We can fix this problem by "regularizing" the current illegal immigrant population and then put in place a strong border security system. False.* By "regularizing" the current population we remove them from the labor pool that employers want!

To actually solve the problem of illegal immigration in this country we must acknowledge that there are multiple intertwined components to the problem, and as such there must be multiple intertwined components to any solution.

***We cannot control the problem until we solve the employment side of the equation, nor can we force current employees out of their jobs by "regularizing" them without first sealing the border, or we will simply have another 11 million illegal aliens come in their place, and 11 million unemployed "green card" holders!***

***The reason we have this problem in the first place is that employers have found that they can hire illegals for far less than the "fully loaded" cost of an American Citizen. They are able to pay farm workers, for example, a fraction of the US Minimum Wage, they do not make social security payments, and they do not pay unemployment insurance, health insurance or workman's comp.***

***When that illegal worker is hurt on the job the cost of their care falls back on the rest of us as they have not paid into the system nor can they pay for their care in cash.***

As a result any serious immigration reform bill must include:

- Instant verification of employment status similar to the NICS system for firearms purchases. *The employer must be required to physically see and copy the documents establishing the right to work and must transmit them to the Federal Government for clearance electronically.* In response the system must come back with one of three status codes:
  - Verified “ The documents presented are considered “authentic” and the hiring may occur. An example of positive identification sufficient for this purpose would be a valid US Passport, although other combinations may be acceptable.
  - Deferred “ Hiring may proceed *but validation of credentials has been withheld.* A final determination will be made within three business days. Pay may not be disbursed until final determination has been made.
  - Declined “ Hiring may not proceed; the documents submitted either fail validation or the person is positively identified as ineligible to work in the United States.
- Unlike the NICS, records *will be retained for at least three years after the tax reporting period has expired.* Employers are subject to audit at any time against these records.
- Any pay found disbursed in violation of these requirements subjects the employer involved to *an administrative fine of double the gross pay, plus all taxes, interest and penalties otherwise assessed.* In addition **any person** found to have actual or constructive knowledge of circumvention of the Employment Check system must be prosecuted as a federal felon with a minimum sentence of one year in prison for each person hired or compensated improperly.
- 1099 contract employees and “job shops” are subject to these requirements as well.
- We must not allow those here now to “jump the line” to get into the United States. There are currently millions of individuals who want legal access to the United States for residency purposes. While one can empathize with those who have come here and bore children, the latter being citizens, *we cannot allow adults to come here and “buy themselves entry” by having a child.* The simple fact of the matter is that by producing an American Citizen while knowing that they are not entitled to be here *is an act of child abuse, as these adults are well-aware of their risk of deportation.* Rather than allowing people to find new ways to cheat, *we must instead make it known that we will enforce our laws against child exploitation and abuse to the fullest extent, and that illegal immigrants who come here and have children in a gambit to gain residency will either find themselves going home with their children (who are citizens but are unable to care for themselves) or will find themselves on the wrong end of a child endangerment prosecution.*
- Any person now here as an illegal immigrant who wishes to apply for residency must not have committed a federal offense in the process. *This means that any persons who used forged identification must be barred from conversion.* In addition those who came here and worked without valid identification must identify their employers and pay all unrecoverable taxes (if their employer is insolvent or for any other reason cannot make the payments) plus penalties and interest. The \$5,000 “fine” proposed is in fact a joke, *as for most illegal immigrants that will not even cover the FICA and Medicare payments they didn’t make, say much less unemployment and workman’s compensation!* While there will be made a claim this is “unfair” the fact of the matter is that what is really unfair is allowing these people to enjoy the benefits of US Citizenship, including subsidized emergency medicine, without having made the contributions that all US Citizens make to the system when we are working!

Unfortunately the current immigration bill fails all of these tests. It allows for line-jumping, it does not prohibit “anchor babies”, it fails to penalize employers who have been hiring these illegal workers and it fails to prevent them from hiring a new crop of illegals once the current aliens are “regularized” and thus their cost of employment has doubled “ or more.

As such passage of the bill today in the Congress will do nothing more than generate another 11 million

illegal immigrants in the years ahead, while creating a permanent underclass of legal residents who will be unable to retain their jobs and yet who are insufficiently skilled to compete effectively in the skilled-workforce economy.

Passage of this bill will hurt both the current illegal immigrants and, in fact, all of America.

So why do it? Because the lawmakers smell 11 million new votes " not today, but tomorrow. And passing this bill they will gain access to a huge pool of new eventual voters, all of whom will be beholden not to their ingenuity and industry, but rather to government, as they simply lack the skillset necessary to do otherwise in today's US Economy.

America cannot afford this bill and neither can the nation's current illegal immigrant population.

Posted by Karl Denninger at 18:35

"We can't identify these people, and thus, we can't readily figure out who they are. False. If someone is using a stolen Social Security number, the government knows, because there are two payments being made into the system for the same identifying number in two different places. Unless the two employers are in the same immediate geographic area it is a physical impossibility for a single person to be working two jobs." Apparently, this is not as helpful as it would appear because the IRS is has been more than happy to issue ITINs to aliens. They have apparently cracked down recently but there are likely millions of illegal aliens with valid ITINs. Moreover, banks are even using ITINs to allow people to take out mortgages. Anonymous on Aug 20 2007, 01:54

Good, then we know where they are. Send the ICE people in and deport them. Anonymous on Aug 20 2007, 01:56

The point was that we cannot use ITINs to identify illegal aliens since ITINs issues to legal aliens are indistinguishable from those issued to illegals without reviewing their status individually. Anonymous on Aug 20 2007, 06:02

Of course we can. We now know where to start reviewing. Anonymous on Aug 20 2007, 08:27