

## How Obama's move fails U.S. employers

This is a patch, not a fix, to the chronic problem of low-wage immigrant labor

By Tamar Jacoby

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Last week, President Obama went on national television and announced a long list of changes to the immigration system.

Much of the reaction has centered on whether he has the authority to act unilaterally – or whether it wouldn't be better, as he himself said on Thursday, to work with Congress to pass reform that has the power and permanence of law.

Much less discussed is the part of the solution the President left out. Because while his order treats a symptom of what's wrong with the immigration system, the truth is it does nothing to fix the underlying problem – all but guaranteeing that the nation will be facing it again in a few years.

Obama suspended deportation for perhaps 5 million unauthorized immigrants living and working in the U.S. But did he stop to ask why those 5 million people are living here without papers in the first place?

Virtually all came to work. The U.S. labor force is getting older. It's also shrinking, in some industries dramatically, as baby boomers retire. The generation coming up behind the

boomers is smaller – remember, American families are getting smaller – and much more educated.

In 1955, nearly two-thirds of American workers were high-school dropouts who welcomed a chance at a physically demanding job. Today, less than 10% of Americans in the workforce are high school dropouts.

Yet we still need some less-skilled workers to round out the U.S. labor force, working alongside more skilled Americans.

Think about restaurants. With more women in the workforce and more disposable income, Americans eat out at restaurants about twice as regularly as they did in the 1950s. But it's hard to keep a restaurant open – to keep the skilled chef and polished waiters and college-educated accountant employed – without some less-skilled workers to do the dirty jobs.

And even in the downturn, few Americans lined up to take the dirty jobs.

Okay, you say, most immigrants are working – but why are so many of them working illegally? As immigration skeptics often ask, "Why didn't they do it the right way. Why don't they wait their turn in line?"

Actually, there is no line. For less-skilled immigrants who want to work year-round, there's no legal way to enter the country unless you have family already here willing to sponsor you for a visa. No family, no visa – and no other choice. The only way to get here is to hire a smuggler and walk across the desert.

Real immigration reform would acknowledge this reality and accommodate it – legally. We'd create a system where employers would have to try to hire Americans first, but when they couldn't find enough Americans, could hire an immigrant quickly, easily and legally.

This would be good for the immigrant, good for the employer and good for American workers. Most important for the country, it would all happen above board.

And it would be a real solution, not just a Band-Aid.

The problem: Only Congress can pass something like that. To enact new law, the President and Congress must work together and compromise.

Neither the President nor Congress has been ready to compromise on immigration in recent years, and anyone who cares about reform should hold them both responsible.

But short-circuiting the process is unlikely to spur Congress to act. On the contrary, even pro-reform Republicans now feel compelled to denounce what they see as an abuse of presidential authority. More likely, the President's order will actually set back action on the root cause.

Of course, Obama won't be President when the bill comes due a decade or more down the road, when another President and Congress have to face another generation of immigrants and their families, who knows how many million strong, living in the shadows on the wrong side of the law.

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