



## Targeted Dems forge deal on immigration

July 30th, 2008

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A group of vulnerable Democrats struck a deal with House leaders and conservative Republicans, agreeing to an extension of an immigration enforcement measure that is set to expire in October.

Facing the prospect of returning home to their conservative-leaning districts without having secured a vote on any bill to bolster immigration enforcement, some Democrats spent the last few weeks struggling to come up with a compromise.

Led by freshman Democrat Gabrielle Giffords (Ariz.) — who has long pushed for an altogether different employment-verification system — the group settled on a reauthorization of the pilot program known as E-Verify for the next five years, rather than the 10 years that Republicans had originally proposed.

The Department of Homeland Security (DHS), a fervent backer of E-Verify, describes the program as an online system that can check the work status of new hires. The program, which is free and voluntary, has attracted critics — who have cited, among other things, the low percentage of employers who use it.

The Giffords bill was added to the House suspension calendar late Tuesday. At press time, a vote had not yet taken place. It is unclear if the Senate will follow the House's lead.

While saying a reauthorization of E-Verify — which is scheduled to expire as a pilot program on Oct. 1 — is not the perfect solution, many of the House's more conservative Democrats also realized the political reality that would have been facing them over the August recess and leading up to the November elections.

"For some members, they couldn't afford to go home and have let E-Verify expire," said a Democratic aide involved in the negotiations.

But it took until Tuesday night to convince Reps. Ken Calvert (R-Calif.) and Heath Shuler (D-N.C.) to sign on to the agreement. Calvert had sponsored the bill to reauthorize E-Verify for a decade. Shuler had played a role in securing 190 signatures on a discharge petition to bring his Secure America Through Verification and Enforcement Act — which incorporated a massive expansion of E-Verify — to the floor.

Those involved in the negotiations also said that any E-Verify proposal had to first get the blessing of Democrats in charge of the Judiciary Committee and the Ways and Means Social Security subcommittee.

Ways and Means Democrats had concerns that a nation-wide employment verification system could cripple the already backlogged Social Security Administration (SSA).

Judiciary Committee Republican Steve King (Iowa), a strong advocate for a border fence and an ardent opponent of "amnesty," said an important change reflected in the Giffords compromise was language to direct the DHS to absorb any verification costs incurred by the SSA, a provision that was once viewed as a "poison pill."

Should DHS and SSA fail to come to an agreement, the House bill stipulates that the SSA will assume the cost as dictated by the current system and Congress will once again be required to revisit the issue.

While no one was poised to declare outright victory, all sides tried to put the best face on the deal.

"Congresswoman Giffords still thinks a better program than E-Verify should be in place," said a spokeswoman for the lawmaker. "And now we don't have to wait 10 years for Congress to look at this again."

"I would have preferred a clean E-Verify reauthorization," Calvert said. "But that apparently wasn't in the cards."

The measure did win the support, though, of the conservative Immigration Reform Caucus. Chairman Brian Bilbray (R-Calif.) said he would continue urging his colleagues to consider mandating that all employers in the United States use the system, as the Shuler bill would require.

Perhaps most importantly, the Congressional Hispanic Caucus consented to the Giffords bill, as well as to having it be brought up on the suspension calendar, which is usually reserved for non-controversial bills and requires two-thirds majority.

"Obviously this was a compromise led by more conservative members of the Democratic caucus and by Republicans," said CHC Policy Chairman Luis Gutierrez (D-III.). "But we're going to deal with it."

The CHC has fought against enforcement-only measures, arguing that only a comprehensive reform of the immigration system is appropriate.

But employment verification is a part of the CHC's comprehensive reform platform, and many in the group were worried that having the E-Verify pilot program disappear altogether could bring more harm than good to immigrant communities and undocumented workers.

"I think what you see is a bipartisan consensus agreeing 100 percent that the immigration system is broken," said Rep. Xavier Becerra (D-Calif.), a former CHC chairman and now Assistant to Speaker Nancy Pelosi (D-Calif.). "Let's not break it even further."