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## LONGTIME ILLEGAL-IMMIGRATION FOE VOWS TO KILL E-VERIFY

By Ben Terris  
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House proponents of a law that would require employers to electronically verify their workers' legal status knew they would have to fight Democrats. But they didn't expect resistance from the likes of Rep. Lou Barletta, R-Pa.

The freshman vowed to do whatever it takes, even working with Democrats, to block so-called E-Verify legislation.

Barletta's efforts to stem illegal immigration date back to 2006 when he was mayor of Hazleton, Pa., a city that caused a national uproar when it adopted a stringent ordinance denying permits to businesses that hired illegal immigrants. That measure inspired Arizona to pass a similar law the next year. Even though Hazleton is nearly 2,000 miles from the Southern border, Barletta's addressing of the immigration issue earned him street cred as a hard-liner.

Those who applauded him then might be puzzled now.

Barletta said he supports E-Verify, or the Legal Workforce Act, in theory. He objects, however, to a provision that would let states and municipalities punish employers who knowingly hire illegal immigrants only after the federal government acts.

"The bill is a fox in sheep's clothing," Barletta said. "The federal government has done nothing to this point to show they are serious about illegal immigration. Why give them the authority and strip the power of the states?"

That is why he will vote against E-Verify, which passed out of committee last week, if it comes to the floor, Barletta said.

Federal courts have repeatedly shot down the Hazleton ordinance, preventing it from ever being enforced. Now that the Supreme Court has upheld Arizona's employer-sanctions law, Barletta is hopeful that his ordinance, which has been sent back to an appeals court for reevaluation, might take effect.

And he doesn't want to finally win that battle only to have the pending E-Verify bill's preemption clause snatch the victory away.

"We're just getting to a place in this country where states are getting the power to crack down on illegal immigration," Barletta said. "This bill would take us to square one."

He blames the influence of special interests, such as the U.S. Chamber of Commerce, for the provision's inclusion.

The chamber, in a statement, hailed the bill for having "strong preemption language for state and local laws mandating the use of E-Verify or establishing state or local employment

verification schemes. This legislation represents a legitimate balancing of many competing interests," the chamber said.

Naturally, the legislation's Republican sponsors deny Barletta's characterization.

The bill reaches a "reasonable middle ground," said Rep. Jason Chaffetz, R-Utah. "We need E-Verify, and anyone who supports E-Verify should support this bill.

"Are the feds actually going to do their job? That's a legitimate question, but until you actually mandate the use of E-Verify, we will continue to struggle with any kind of national enforcement," he added.

House Judiciary Committee Chairman Lamar Smith of Texas, author of the Legal Workforce Act, said he had to include a preemption clause because "the Constitution grants Congress the power to determine our immigration laws. The only way for E-Verify to apply to all employers in the U.S. is to enact a federal law mandating the use of the program," Smith said. "A common federal system makes it easier for businesses operating across state lines and ensures that all U.S. employers hire legal workers."

Barletta is not convinced.

He has been circulating "Dear Colleague" letters outlining his concerns.

"I'm willing to talk with anyone who will listen," he said, "and work with anyone who will try and stop this bill—even Democrats."