The take up of E-Verify programs shows that state officials prefer the highly skilled over temporary immigrant workers with lower skills

2/17/2017

The election of Donald Trump illustrates that the immigration debate is here to stay. In new research, **Adriano Udani** *uses data on temporary immigrant labor admissions to better understand which immigrant groups policymakers think deserve to work in the United States. He finds that state officials ease employment verification rules when there are more "highly-skilled" migrants gaining visas. He argues that this policy preference for more specialized, highly skilled migrants is likely to reinforce patterns of segmented assimilation and racial and gender disparities among immigrants.*

The E-Verify program, which allows employers to check the work authorization of new hires, is one of the more notable immigration control policies which have been discussed in Congressional debates over comprehensive immigration reform in recent years. Past studies have used E-Verify policies to indicate a state's restrictive stance toward immigrants and assume that a state's decision to not institute E-Verify symbolizes a relatively more welcoming immigrant environment.

In light of studies (here and here) on how policymakers will first think about who they want as policy recipients before designing policies to achieve political objectives, we can use the E-Verify program to help determine which immigrant groups policymakers think are deserving enough to work in the United States.

In new research on temporary immigrant labor admissions in the United States, I find that elected officials eased employment verification rules in response to the growth of immigrants who work in occupations that are considered "high-skilled:" immigrants who receive H-1b visas to work in legal, engineering, computer science, medicine, higher education, and health sciences professions. This was not the case for immigrants who work in occupations that are commonly referred to as "low-skilled:" immigrants who receive H-2a or H-2b visas to work in food preparation, landscaping, hospitality, maintenance, manufacturing, and agricultural industries.
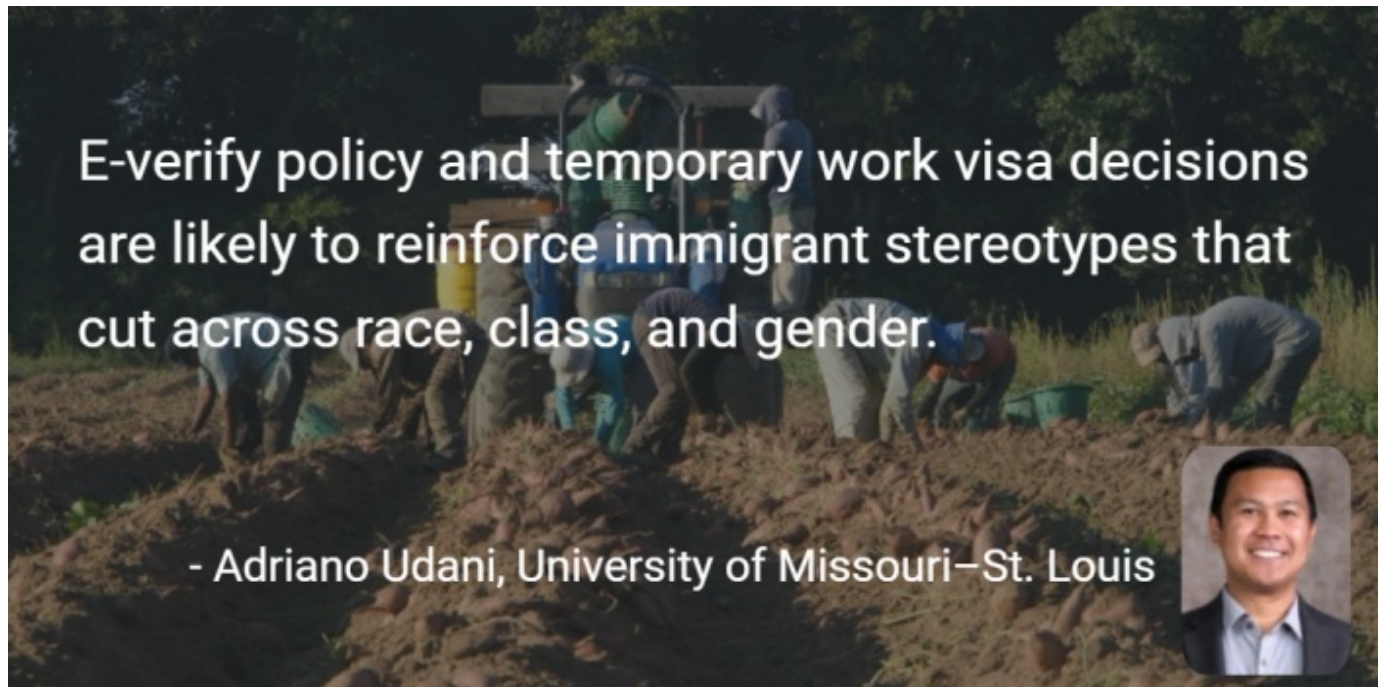
Temporary Immigrant Labor Admissions

To understand whether growth rates of different immigrant workforces influence restrictive policymaking on immigrant employment, I assembled a dataset of temporary immigrant labor admissions in the United States between 2006 and 2014. I use methods to demonstrate how responsive state legislatures are to their demographic, economic, and political contexts, and in particular, their temporary immigrant workforce over time. I also utilize data on temporary immigrant labor that delineates class characteristics of the foreign-born population. I draw particular attention to differences between immigrants who work in specialty occupations through the H-1b visa program; non-specialty occupations on farms through H-2a program; and, non-specialty/non-agricultural occupations through the H-2b program.

What I find

My findings are consistent with public opinion studies that show more favorability toward high-skilled than low-skilled immigrants as well as the overwhelmingly positive elite rhetoric in politics and pop culture on admitting H-1b workers to strengthen the US economy. Others document a competitive race among corporations to acquire H-1b visa permits. In light of such public appeal and competition for this group, my results show that the growth rate of H-1b immigrants in a state over time reduces the rate at which local legislatures enact E-Verify policies. Having such

rules and regulations in place could disrupt a state's access to workers in specialty occupations.

E-verify policy and temporary work visa decisions are likely to reinforce immigrant stereotypes that cut across race, class, and gender.

- Adriano Udani, University of Missouri–St. Louis

In contrast, policymakers who serve in states that experience growth in non-specialty immigrant workers are more likely to enact E-Verify policies. What is more, I find that E-Verify policy adoptions are very responsive to the growth of recent immigrants from Mexico. My findings are consistent with public opinion studies that show growing public animosity toward Mexicans and Latin Americans (some examples here and here). These policy effects also lead up to a period of time in which employee verification receive much scrutiny and publicity at the federal level. In 2013, a bipartisan group of Senators, who described themselves as the "Gang of Eight," proposed a reform plan that emphasized securing the border and establishing an employment verification system that prevents identity theft and the hiring of unauthorized workers. The rhetoric of Senator Marco Rubio (R-FL), who served as the figurehead of the Gang of Eight, on ensuring unauthorized workers follow the rules contrasts starkly with President Obama's push to hire talented young immigrants in STEM fields.

Why This Matters

E-verify policy and temporary work visa decisions are likely to reinforce immigrant stereotypes that cut across race, class, and gender. These policy decisions reinforce the segmented assimilation patterns in the United States, as H-2a and H-2b visa holders are primarily from Mexico while H-1b visa holders primarily originate from India and China. In addition, the federal government gives a higher percentage of nonimmigrant visas to males than females. Racial and gender disparities will be further entrenched as policymakers institute strict employment verification rules for immigrants who work in non-specialty occupations that require no formal educational degree and also provide low wages and minimal chances for career advancement.

The data also suggest that H-1b workers are going to states with stronger local economies, not weaker ones. The absence of E-Verify policies in part fosters local economic production in states with higher economic activity by adding immigrant workers with specialty occupations. What is more, the addition of skilled labor to already strongly performing economies will widen the gap between wealthy and poor regions. Lastly, I find that E-Verify policies are also introduced in states with more agricultural production and higher Mexican immigrant population growth. In turn these policy decisions will contribute to amplifying dominant negative stereotype of Mexican immigrants as untrustworthy in popular discourse.

As political elites and pundits continue to frame comprehensive immigration reform around fears about immigrants

acquiring scarce economic opportunities and deteriorating cherished civic traditions, my research highlights how policy reform proposals are shaped not only by Americans' racial animus, but also their class interests.

This article is based on the paper, 'The Impact of Temporary Immigrant Workforce Growth on Employee Verification Policies in the United States', in the Policy Studies Journal.

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