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Boyle: The importance of employment verification

J. Patrick Boyle, *SPECIAL CONTRIBUTOR*

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Though polling clearly shows that Americans think our immigration laws need reform, Congress has yet to translate national sentiment into action. By the time sufficient political momentum exists to pass a bill that addresses the many facets of immigration legal, illegal, border security, secure identification and employment-based visas any natural coalition that might have formed has been severely strained or even shattered.

For a long time, the meat industry has argued for comprehensive immigration reform. Though that support hasn't changed, we don't want the debate to evolve into an all or nothing, politically charged proposition, especially when reauthorization and improvement of one component — the online employment verification system E-Verify — could be a big step forward.

E-Verify is the only electronic data-based system available to ensure that employers hire only those authorized to work in the United States. Much like a merchant can swipe a credit card when a purchase is made — and that purchase is either authorized or not — E-Verify allows employers to verify the social security numbers of new employees after they are hired.

Our industry historically has been a starting point for foreign-born workers, and that's still true today. But like all industries, we benefit from a stable and legal work force. That is why the American Meat Institute has been an advocate of E-Verify, which only recently became available nationally. In fact, we have urged its use industry-wide for a decade and recently asked Congress to mandate its use.

E-Verify has broad political coattails. For those who believe that immigration enforcement is a top priority, E-Verify is the cornerstone of border control. The system prevents undocumented workers from obtaining coveted U.S. jobs, shutting off the enticement for workers to sneak into the U.S. or overstay their visas. All of the fences and Border Patrol agents in the world will be ineffective if workers know that once they've crossed the border, an American job awaits them.

Americans concerned about possible discrimination against workers who might not "look or sound American" will appreciate the fact that E-Verify takes the guesswork out of the hiring process and puts the onus on the federal government.

Once an employee is hired and begins working, the employer submits the data through E-Verify and the federal government either grants or withholds its permission for the new employee to work. If the government finds the employee ineligible, he is given time to resolve inaccuracies.

Under current law, U.S. employers find themselves in a daily catch-22. Employers can be heavily fined if it's found that they hired an undocumented worker. Conversely, employers can be subject to civil rights charges if it is determined they pressed an employee too hard without cause. E-Verify prevents both situations by taking the guesswork out of the hiring process, and offers employers a "safe harbor" from such prosecutions when it becomes mandatory.

And for the tens of millions of unemployed Americans and legal residents, E-Verify helps them as well. The system ensures that their job isn't taken by an undocumented worker or that an unscrupulous employer isn't undercutting their wages by hiring undocumented workers.

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However, E-Verify needs some important fixes if it is to reach its potential effectiveness. Currently, employees may present 24 forms of identification when applying for a job; Congress must reduce that number.

Lawmakers also must address a growing number of patchwork state and local laws by passing a federal pre-emption provision; must provide a safe harbor for employers who use the system as designed; enhance its capacity to eliminate border fraud; and must phase in the mandatory system over several years to allow small and medium-sized companies time to make necessary adjustments.

Congress must remember that progress needn't be an all-or-nothing concept. Important changes to the E-Verify program should be addressed. In doing so, Congress will provide employers with an effective tool to ensure the eligibility of employees and provide our nation with the security of a "virtual border."

Boyle is president and CEO of the American Meat Institute in Washington, D.C.

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