



September 13, 2011

The Honorable Lamar Smith
Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Smith:

I write to express the American Meat Institute's support for H.R. 2885 and your efforts to achieve a practical and functional electronic employment verification system and necessary tools to secure our nation's borders. AMI is the nation's oldest and largest trade association representing the meat and poultry processing industry. Our member companies process 95 percent of red meat and 70 percent of turkey in the U.S. Our industry generates over \$832 billion in our nation's economy and employs more than 500,000 workers, and a reliable employment verification system is vital to our success.

The U.S. meat and poultry industry is a strong advocate for the E-Verify program and supports its mandatory application, and improvements to ensure the legal work status of job applicants and employees. The industry applauds your efforts to improve the electronic employment verification system through the introduction of H.R. 2885, the Legal Workforce Act. This legislation is a critical first step in providing a practical and functional worksite electronic employment verification system.

Several changes made to the current E-Verify system by the Legal Workforce Act will improve the accuracy of results and lessen the burden on employers and employees. The system will inform employers if an employee's name and identification number are legitimate – and block numbers if they are being used in unusual multiple places of employment. The Act also gives workers the ability to suspend use of their identification number if they suspect they have been victims of identity theft. Finally, the Act blocks identification numbers of aliens who are subject to an order of removal from the United States or have an expired work authorization. These are all important tools that will help employers to hire workers who are properly authorized to work.

The Legal Workforce Act reduces the number of documents that can be used to establish legal status, and gives the Department of Homeland Security authority to bar types of identification that are frequently used in a fraudulent manner. These provisions will help employers achieve compliance with verification rules without exposure to document fraud problems.


The Legal Workforce Act also includes important safeguards for employers attempting, in good faith, to verify the legal status of their workforce. To protect employers, it establishes that employers are not liable to employees, the Federal or state government for hiring decisions taken with respect to information provided by the system. This will eliminate the fear of discrimination suits for employers attempting in good faith to hire legal workers.

Importantly, the Legal Workforce Act also mandates E-Verify for all employers. Mandatory participation of all U.S. employers in the system is a key way to ensure a legal workforce in United States.

Finally, preemption of state and local laws is critical. As many of our members operate across state lines, the costs and difficulty of complying with multiple and differing state and local laws is a frustrating and growing problem. While the preemption provisions of the Legal Workforce Act takes important steps to rectify this situation, they still allow States to impose licensing penalties. We hope that the record accompanying the consideration of this bill clarifies that States will not be able to establish parallel enforcement mechanisms for licensing or for State contracting provisions that are duplicative of those established by this bill.

Again, AMI appreciates your work to strengthen the employee verification system, and looks forward to working with you to ensure an accurate and easy to use system to make sure all employees are properly authorized to work in the United States.

Sincerely,



J. Patrick Boyle
President & CEO
American Meat Institute