



## IMMIGRATION REFORM MUST PRECEDE ENFORCEMENT

### **ACTION REQUESTED**

An industry-supported solution for agriculture's labor crisis must be fully implemented before Congress or the Administration seeks to require Mandatory E-Verify or other domestic enforcement impacting agriculture.

Electronic verification of an employee's eligibility to work in the U.S. is currently only a voluntary standard. Unfortunately, due to Congressional and previous Administration inaction in dealing with the current broken immigration system, agriculture is forced to rely on agricultural workers that are improperly documented. Estimates are that upwards of 70 percent of the overall harvest labor in the U.S. is provided by an improperly-documented immigrant workforce. Though their documents appear valid to an employer, they may not be.

The current guest worker program has failed to provide an adequate and consistent supply of labor. This situation has existed for decades, due in part to the fact that the H-2A guest worker program has operated in such a cumbersome and unresponsive manner. Reforming the H-2A program is an essential component of the solution. However, an efficiently operating guest worker program is by itself inadequate. Providing the opportunity to obtain work status for those improperly documented workers currently working in the U.S. is necessary. If agricultural employers were required to electronically verify the status of that workforce, it is highly likely that a majority of those inquiries would be rejected. Even those farmers who do have a legal workforce would be impacted as the demand for their workers would increase immediately in response to the labor supply contraction.

The agriculture industry needs Congress and the Administration to approve solutions for both the current improperly-documented workforce and a future guest worker program that will alleviate the incentive for the current situation to repeat itself. Those enhancements must be signed into law and fully implemented before any mandatory enforcement program is required.

An "enforcement-only" approach will cause significant harm to American farmers and encourage the substitution of domestic commodities by foreign competitors.

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