Immigration Reform 2013 – Issues and Solutions

Border Control

Issue: Consensus on how to control our nation's borders and how to measure the achievement of sufficient border security has been elusive. In the past, some have advocated for an "enforcement only" approach or a tactic of using "enforcement first" as a trigger for any other immigration reforms.

Solution: The U.S. Chamber considers securing the nation's borders and ensuring safe border communities critically important. Fortunately, over the last decade many needed improvements have been implemented at the border and in systems to protect our country from the entry of inadmissible foreign nationals. We need to continue to build on those, ensuring we respect the rule of law while we pursue other immigration reform initiatives.

Work Visa Programs

Issue: There has been sharp disagreement about the extent to which our nation can assimilate new immigrants and revise our immigration laws to both reflect the realities of an international economy and protect our domestic workforce. Existing programs are very limited and difficult to use.

Solution: The U.S. Chamber believes that fundamental changes to the structure of our immigration laws are needed to recognize the necessity of establishing provisional visas for lesser skilled workers, ensuring sufficient numbers of visas for the highly skilled, including STEM graduates, and reforming our visas for production agriculture. These changes would allow employers to hire immigrants in accordance with the demands of the economy, when U.S. workers are unavailable. Such programs would also increase national security and reduce illegal immigration by creating a functional, controlled system meeting workforce needs—a need not met by prior immigration legislation.

Enhanced Employer Verification System

Issue: The U.S. Chamber has previously opposed mandatory expansion of E-Verify or associated employment verification enforcement because of unworkable, burdensome, or unreliable employment verification systems, including expansion of verification obligations beyond the direct employer-employee relationship.

Solution: The technical aspects of the E-Verify system are improved, allowing the U.S. Chamber, with our members, to reassess our position. We now support a uniform national policy expanding the use of E-Verify. For the U.S. Chamber, the most important issues remaining for E-Verify and employment verification policy are: strong preemption language for state and local laws that mandate the use of E-Verify or establish state or local investigation or enforcement schemes; the need to mirror existing FAR rules with respect to federal contractor obligations to use E-Verify; no obligation to reverify entire current workforce for private employers; an integrated single employment verification obligation (integrating the I-9 process into E-Verify) available fully electronically as well as telephonically; no obligations beyond the direct employer-employee relationship; and creation of a clear safe harbor for good faith efforts by employers.

Legalization

Issue: There are over 11 million undocumented people residing in our country, of which over 7 million are employed in our economy today. Neither deportation nor self-deportation of the large undocumented population is realistic, and finding a solution has been difficult.

Solution: The U.S. Chamber believes that criminal background checks must be completed on all the undocumented currently in the United States, as is required for all legal immigrants. Then, under specified and strict conditions, including payment of a fine and taxes, and confirmation of progress toward English proficiency, grant those that qualify a permanent legal status.