



China Miner Gorman
Chief Operating Officer

July 16, 2008

The Honorable Michael Chertoff
United States Department of Homeland Security
Washington, DC 20528

Dear Secretary Chertoff:

On behalf of the Society for Human Resource Management (SHRM), I am writing to express my strong objection to your agency's negative characterization of SHRM's motives for opposing the Department of Homeland Security's (DHS) E-Verify employment verification program.

The remarks posted on July 11, 2008 by Assistant Secretary Stewart Baker impugning our organization demonstrate a lack of understanding of the political process, SHRM's position on the employment verification issue, and SHRM's record as a respected, independent professional association. Most important, your agency's comments are demeaning to the Society's more than 240,000 members.

In his 914-word article titled "Exactly What Do They Want?," Mr. Baker suggests that SHRM's opposition to the E-Verify program is motivated by a desire to hire illegal workers. Mr. Baker writes:

"I suppose corporate hiring is easier if you can hire illegal workers, so perhaps I shouldn't be surprised that SHRM wants to kill a program that makes it harder to hire illegal workers."

He goes on to argue that the proposed New Employee Verification Act (H.R. 5155), which SHRM and many other organizations support, cannot work for a variety of reasons, all of which are self serving and many of which are false. Mr. Baker then concludes each erroneous argument with the same message: "But that may be exactly what SHRM wants."

DHS is attempting to discredit SHRM by asserting that our support for the New Employee Verification Act (NEVA) and our work with the bill's primary sponsor, Representative Sam Johnson (R-TX), are nothing more than an elaborate plan to kill employment verification altogether. In truth, SHRM supports Representative Johnson's legislation because it would replace the flawed, voluntary E-Verify program with a far more effective, mandatory employment verification system.

SHRM and its members are on the front lines of employment verification every day. We know what works and what doesn't — and E-Verify doesn't work. E-Verify's effectiveness has been called into question by a variety of organizations, businesses, the Government Accountability Office, Members of Congress, and state governments.

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We believe employers should have the tools they need to efficiently and accurately determine the legal work status of employees and job applicants. The New Employee Verification Act would provide those tools. It is a bipartisan solution supported by a wide array of human resources professionals and business groups, including:

- American Council on International Personnel
- College and University Professional Association for Human Resources
- Food Marketing Institute
- HR Policy Association
- International Public Management Association for Human Resources
- National Association of Manufacturers
- National Franchisee Association
- National Association of Independent Business
- National Association of Home Builders
- National Association of Professional Employer Organizations
- Society for Human Resource Management

Mr. Baker's remarks encapsulate the dismissive attitude DHS has taken towards the human resource profession, U.S. employers – and apparently the legislative process itself. DHS has chosen to use Executive Orders and legal maneuvers to force participation in E-Verify, while ignoring requests to discuss our concerns or modify its plans in any way.

For example, on March 2, 2007, five of the nation's leading human resource organizations, led by SHRM, wrote to you to request a meeting to discuss employment verification issues and how America's leading employers could work with DHS to improve the current system. Both our request for a meeting and our letter went unanswered. On July 13, 2007, we again wrote to request a meeting, this time under the auspices of the newly formed HR Initiative for a Legal Workforce coalition. Once again, there was no response from DHS.

Dedicated human resource professionals throughout America work hard every day to ensure a legal work force. DHS owes these individuals an apology for attacking their integrity based on their support for strong, bipartisan employment verification legislation.

Our consistent goal has been to work with DHS to formulate a proposal for a mandatory federal employment verification system. As always, we remain ready to meet with you to discuss employment verification and the concern of America's leading employers and human resources professionals.

Sincerely,



China Miner Gorman
Acting President and Chief Executive Officer