

Letters of Support

I as unanimous consent that the letters of support for H.R. 3711 from the following groups be entered into the record:

1. Chamber of Commerce
2. Numbers USA
3. National Association of Home Builders (NAHB)
4. Essential Worker Immigration Coalition (EWIC)
5. International Franchise Association (IFA)
6. The Associated General Contractors of America (AGC)
7. National Restaurant Association
8. National Roofing Contractors Association (NRCA)



October 3, 2017

The Honorable Robert Goodlatte
Chairman
House Judiciary Committee
U.S. House of Representatives

The Honorable John Conyers, Jr.
Ranking Member
House Judiciary Committee
U.S. House of Representatives

Dear Chairman Goodlatte and Ranking Member Conyers:

On behalf of the National Restaurant Association, we strongly support H.R. 3711, the "Legal Workforce Act." I would like to highlight our support for this mark-up, as well as for important legislation with a thoughtful, balanced approach to implementing a major change related to workplace hiring for employers of all sizes.

The National Restaurant Association is the leading business association for the restaurant and food service industry. The industry, predominated by small businesses, is comprised of more than one million restaurant and foodservice outlets employing 14.7 million employees and 10 percent of the U.S. workforce.

We agree on the need for certainty and uniformity regarding the responsibilities employers have under employment verification laws. For several years, the Association has provided input on the best ways to improve the E-verify program. We are appreciative of the bill's sponsor, Rep. Lamar Smith, and the Committee's efforts to think through the challenges of a universal employer verification mandate.

The Legal Workforce Act reaches the right balance - a broad employer verification mandate that is both efficient and workable for businesses of every size under practical real world working conditions. Without the assurances and improvements to the employer verification system found in the Legal Workforce Act, it should not be imposed on businesses.

Thank you for your leadership and careful consideration of this issue. We look forward to working with you and your colleagues to advance this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon L. Meade".

Shannon L. Meade
Director, Labor & Workforce Policy

cc: Members of the House Judiciary Committee



National Association of Home Builders

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Washington, DC 20005

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F 202 266 8400

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Government Affairs

James W. Tobin III
Senior Vice President & Chief Lobbyist

October 3, 2017

The Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Goodlatte:

On behalf of the approximately 140,000 members of the National Association of Home Builders (NAHB), I am writing to share our support for H.R. 3711, the *Legal Workforce Act*. This legislation strikes a crucial balance between a mandatory, nationwide E-Verify program and the employer community's role in addressing illegal immigration.

As members of the employer community, NAHB recognizes the important role employers play in ensuring the nation has a legal workforce. H.R. 3711 creates a fair, efficient, and workable employment verification system that gives employers clarity with regard to their duties and obligations. It preempts the current patchwork of state laws, providing employers with a straightforward rulebook for compliance. Perhaps most importantly, H.R. 3711 honors the direct employer-employee relationship and the current "knowing" liability standard.

NAHB also appreciates that the legislation includes a robust safe harbor and provisions to make the system workable for our nation's small businesses, which are the engine of the American economy. H.R. 3711 provides small employers with important tools: toll-free telephonic access to the system; the opportunity for employers to begin the verification process as soon as possible; and a phase-in to the program based on business size, ensuring that larger employers enter the system first, followed by a gradual inclusion of smaller businesses.

NAHB supports comprehensive immigration reform that addresses both our nation's security and its workforce needs, which should include enactment of the *Legal Workforce Act*. We strongly urge members of the Committee to support H.R. 3711 and oppose any amendments that would undermine its workability for employers.

Thank you again for your leadership in advancing this important component of comprehensive immigration reform.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Tobin III".

James W. Tobin III

cc: Members of the House Committee on the Judiciary



FRANCHISING*
Building local businesses,
one opportunity at a time.

September 3, 2017

The Honorable Lamar Smith
U.S. House of Representatives
2409 Rayburn House Office Building
Washington, DC 20515

Dear Representative Smith:

On behalf of the International Franchise Association (IFA), the world's oldest and largest organization representing franchising worldwide, I write in strong support of a crucial measure that will strengthen our immigration system while simultaneously protecting our nation's job creators.

The Legal Workforce Act would create a nationwide electronic employment verification system (E-Verify) to determine the work eligibility of job applicants. With a reliable E-Verify system, franchise owners will be able to hire only those legally eligible to work in the United States.

Locally owned franchises are America's hidden small businesses, with 733,000 establishments across the country. The entrepreneurs who make up the franchising system directly contribute \$674.3 billion in economic output, accounting for roughly 2.5% of the private sector U.S. GDP. Having a clear and efficient means of hiring legal employees for an expanding workforce is crucial, especially for the franchise business model.

A national E-Verify program would create a reliable verification system and needed safe harbors for employers as part of an immigration reform more workable for small businesses. America's job creators, such as franchise owners have a vested interest in ensuring they do not hire unauthorized workers. Further, corporate franchisors wish to provide the necessary guidance to their franchise owners while also protecting themselves from liability for independent franchisee hiring decisions. The preemption of state and local laws and ordinances in this field is important to avoid burdensome and potentially duplicative or conflicting enforcement obligations, or both, on employers.

For these reasons, IFA strongly supports the Legal Workforce Act of 2017, which will allow small businesses, including franchises, the opportunity to run their businesses more effectively through a nationwide E-Verify system. IFA commends your efforts to provide small businesses with the appropriate tools to hire legally and efficiently. We look forward to working with you on this critical legislation.

Sincerely,

Matt Haller

Senior Vice President, Government Relations and Public Affairs

International Franchise Association

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October 4, 2017

The Honorable Bob Goodlatte
Chairman, Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman,

The National Roofing Contractors Association (NRCA) writes in support of the Legal Workforce Act (H.R. 3711), legislation to phase in mandatory use of the E-Verify workforce authorization program for all employers. NRCA believes this is a positive first step in addressing immigration policy in the 115th Congress.

Established in 1886, NRCA is one of the nation's oldest trade associations and the voice of professional roofing industry employers worldwide. NRCA's 3,600 member companies represent all segments of the industry, including contractors, manufacturers, distributors, consultants and other employers. NRCA members are typically small, privately held companies with the average member employing 45 people and attaining sales of about \$4.5 million per year.

NRCA has supported bipartisan legislation to fix our broken immigration system for nearly two decades. This includes policies designed to enhance workplace enforcement to prevent the hiring of persons not authorized to work in the U.S. without imposing costly burdens on job creators. NRCA believes the LWA meets this test given the extensive work that has been done in recent years to address employer concerns and ensure that the E-Verify program is easy to use and does not impose substantial costs or regulatory burdens on employers. Many NRCA members currently utilize E-Verify on a voluntary basis or as required for government contractors and indicate they have generally had positive experiences with the program.

The LWA will mandate use of the E-Verify program by employers to electronically verify the employment status of all new hires. Under the bill, employers with over 10,000 employees would need to begin using E-Verify within 6 months of enactment; employers with 500 to 9,999 employees would have one year to comply; employers with 20-499 employees would have 18 months; and employers with 1-19 employees would be given two years before they must use the program. A sufficient phase in period is critical to ensure that implementation is as smooth as possible and does not adversely impact employers or workers with bureaucratic problems.

NRCA appreciates your efforts and those of Rep. Lamar Smith and other members of Congress to address employer concerns with earlier versions of this legislation. In particular, NRCA is pleased that the bill includes safe harbor provisions for employers that use E-Verify in good faith; preempts state and local laws and sets one uniform standard across state lines; provides a toll-free telephonic option so that businesses can use the program without additional expense; requires the use of E-Verify only for new hires; and the current limitation preventing employers from using E-Verify before hiring is eliminated, so

NATIONAL ROOFING CONTRACTORS ASSOCIATION | WASHINGTON OFFICE

employers may require potential workers to submit to verification once a job offer is made. These and other provisions designed to meet employer concerns are essential to providing a workable system for NRCA members.

NRCA is aware that the House Judiciary Committee will mark-up separate legislation to provide a new guest-worker program designed to enable the agriculture industry to meet its workforce needs at the same time committee members will vote on the LWA, and that these bills are likely to move through the legislative process simultaneously. As you know, the roofing industry faces workforce challenges very similar to those encountered in the agriculture industry, and we look forward to working with you and other members of Congress on legislative approaches to addressing the workforce needs of the roofing industry moving forward.

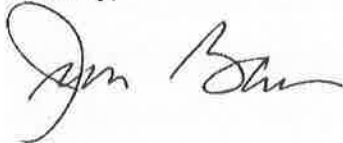
Workforce shortages are now reaching crisis proportions in the roofing industry and we believe this issue must be addressed by Congress. NRCA members provide high-paying jobs for qualified workers but still face shortages due to the demographic trends of an aging workforce, the physically demanding nature of roofing work, and educational trends (BLS reports the mean hourly wage for roofing at \$20.23 per hour, or \$42,080 annually, in 2016). NRCA members consistently indicate they could increase their volume of work by 10 to 20 percent or more if they could fill vacant positions within their companies. This translates to an estimated \$3.6 billion to \$7.2 billion in lost economic activity annually.

Workforce shortages will become even more acute in the future due to an aging workforce and other demographic trends. Also, the enormous rebuilding efforts needed due to the recent hurricanes will greatly exacerbate this problem, and the ongoing workforce shortages will hamper the rebuilding efforts, as many contractors from other regions cannot spare any workers to allow them to travel temporarily to the hurricane zones.

NRCA members cite a lack of access to qualified workers as the biggest limitation on growing their businesses. Given this problem, the establishment of a well-structured guest worker program is vital to meeting the needs of the roofing industry in a dynamic economy. NRCA believes such a program should be governed by market forces, ensure protection of U.S. workers, and provide a legal avenue that enables job creators to obtain the workers needed to meet demand and grow their businesses. Sensible immigration reform should address the needs of industries facing prolonged workforce shortages in a manner that ends illegal immigration without encouraging a black-market economy.

NRCA looks forward to working with you and other lawmakers to develop balanced solutions to fix our broken immigration system and boost economic growth. Thank you for your consideration of NRCA's views on this important issue. For more information, please contact Duane Musser in NRCA's Washington, DC, office at 202-546-7584 or dmusser@nrca.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Barr". The signature is fluid and cursive, with the first name "Jim" being more prominent than the last name "Barr".

Jim Barr
Barr Roofing Company, Abilene, TX
NRCA Chairman of the Board

cc: Members of the House Judiciary Committee

ART DANIEL, President
EDDIE STEWART, Senior Vice President
DIRK ELSPERMAN, Vice President
MICHAEL MORRAND, Treasurer
STEPHEN E. SANDHERR, Chief Executive Officer
DAVID LUKENS, Chief Operating Officer



October 3, 2017

The Honorable Lamar Smith
U.S. House of Representatives
Washington, DC 20515

Re: Support Legal Workforce Act, H.R. 3711

Dear Representative Smith:

On behalf of the Associated General Contractors of America (AGC), I want to thank you for your work on the Legal Workforce Act. This bill would mandate the E-Verify program for all employers with regard to new hires. AGC has long advocated for immigration reform that strengthens national security and functions efficiently and fairly, while also addressing future workforce needs. This bill is a balanced approach to one part of this complex problem, a fair and reliable verification program for employers.

AGC supports H.R. 3711 because construction employers want a reliable method of verifying the work authorization of new hires. They also want to be protected from liability for making a hiring or firing decision based on a government-mandated system and federal preemption to help address the patchwork of conflicting and confusing state and local laws.

Additional priorities for AGC include a safe harbor for employers who use the system, a "knowing" intent standard for liability for both employers and contractors that have subcontractor relationships, and reasonable system response times. Additionally, AGC believes any debarment provisions should follow the process outlined in the Federal Acquisitions Regulations.

AGC recognizes the current immigration system is broken and would like to see other items added as the immigration debate moves forward, including a restructuring of our visa system, improving border security and addressing the undocumented workers already in the U.S. AGC appreciates the effort that has been put into this legislation and looks forward to working with the committee as the bill progresses.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey D. Shoaf".

Jeffrey D. Shoaf
Senior Executive Director, Government Affairs

*EWIC Statement
September 29, 2017*

Mark-up of H.R. 3711 - Legal Workforce Act - Congressman Lamar Smith and House Judiciary Chairman, Bob Goodlatte Introduce a Bill to Improve the E-Verify System

We write to thank Representatives Lamar Smith and Chairman Goodlatte for the work done on H.R. 3711, The Legal Workforce Act re-introduced by Congressman Lamar Smith on September 8, 2017, and we support your continued efforts toward immigration reform. This is a bill that, if passed, would mandate an improved E-Verify program on all employers and for all new hires.

EWIC is a coalition of businesses, trade associations, and other organizations from across the industry spectrum that supports reform of U.S. immigration policy to facilitate a sustainable workforce for the American economy while ensuring our national security and prosperity. We want to underscore the need for establishing a workable, reliable and efficient worksite enforcement employment eligibility system. A new E-Verify mandate would impact every business in the United States as well as every employee. It is imperative that this new system function properly and be administered in the proper environment.

One of the most important goals for EWIC that is included in the current version of H.R. 3711 is a clarification that federal jurisdiction preempts state and local laws. Business needs one standard to comply with and eliminating the morass of state and local employment verification laws. State, local and municipal immigration laws imposing new rules and regulations are virtually impossible to track and follow. Small businesses are particularly burdened by the myriad of rules and regulations that are currently imposed by non-federal immigration “authorities.”

Some additional important goals for EWIC that are included in H.R. 3711 are:

- Safe harbors for employers that use E-Verify in good faith;
- Fully electronic version will be available to employers. The fully electronic version will provide reminders to employers when temporary work authorization is expiring, and will provide printable and searchable records for employers;
- A reasonable number of reliable documents to reduce fraud;
- A “knowing” intent standard for liability for both employers and contractors that have subcontractor relationships (although we have concerns about the lower knowledge standard for the criminal penalties);
- Reasonable system response times;
- An option for employers to begin the verification process once an offer has been officially made;

- Provisions to make the system workable for our nation's small businesses, including toll-free telephonic access to the system and a phase-in to the program based on business size, ensuring that larger employers enter the system first, followed by a gradual inclusion of smaller businesses;
- Accountability for errors when employers and/or employees are given inaccurate information; and
- Recognition that automatic debarment of employers from federal government contracts is not an authority that should be given to DHS and must be handled through current law under the Federal Acquisition Regulations ("FAR").

Congress still needs to fix our immigration system to recognize the ongoing need of the American economy for workers when not enough American workers are available, and to separate those who wish to harm our nation from those who wish to help build it. The current system does not work for anyone, and Congress needs to address the issue in a coherent manner that serves both our national security and economic interests.

We believe H.R. 3711 is a good starting point. It takes significant steps to achieving EWIC's goals for an improved E-Verify system. We are prepared to continue to work with all involved to establish a functional, reliable and efficient system.

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

NEIL L. BRADLEY
SENIOR VICE PRESIDENT &
CHIEF POLICY OFFICER

1615 H STREET, NW
WASHINGTON, DC 20062
(202) 463-5310

October 3, 2017

The Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

The Honorable John Conyers, Jr.
Ranking Member
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

The U.S. Chamber of Commerce urges the Committee to favorably report H.R. 3711, the “Legal Workforce Act,” and the “Agricultural Guestworker Act.” The Chamber looks forward to working with you to improve the Agricultural Guestworker Act as the legislative process continues.

The Chamber strongly supports the Legal Workforce Act because it would make the mandatory use of the federal E-Verify system workable for the American business community. This legislation would preempt state and local laws mandating either the use of E-Verify or the establishment or continuation of state or local employment verification schemes. The bill would provide the clarity and consistency employers seek that is absent today, would mirror the existing Federal Acquisition Regulation rules for federal contractors using E-Verify on the current workforce, would create a clear safe harbor for good faith employers, and would establish an integrated I-9 and E-Verify system available both electronically and via telephone.

A critical precondition of the Chamber’s support for the Legal Workforce Act is that legislation be enacted to provide agricultural employers with a workable program to meet their labor needs. While several issues still need to be addressed in the bill, the Chamber is encouraged by the progress that has been made in crafting the Agricultural Guestworker Act. We look forward to working with the Committee and others in Congress to address these outstanding issues.

In addition, the Chamber is eager to work with the Committee and Congress on other immigration issues where reforms are desperately needed, such as legislation to address the backlogs in employment-based green card categories, enhance high-skilled temporary worker programs, and create a broad temporary worker program for lesser-skilled workers in non-agricultural employment.

Finally, the Chamber urges the expeditious enactment of legislation that would provide permanent relief to individuals impacted by the President's rescission of the Deferred Action for Childhood Arrivals Program. Impending deadlines require swift action on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil L. Bradley", with a stylized flourish at the end.

Neil L. Bradley

cc: Members of the Committee on the Judiciary

September 18, 2017

The Honorable Lamar Smith
2409 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Smith,

NumbersUSA -- the nation's largest grassroots organization for controlled immigration, with an active network of more than 8 million U.S. citizens -- enthusiastically endorses the Legal Workforce Act as the most cost effective and efficient way to improve the lives of millions of Americans who are still struggling at the bottom of the economic ladder.

The Legal Workforce Act would at last substantially fulfill the promise of the 1986 amnesty to stop outlaw businesses from giving U.S. jobs to foreign citizens who overstay their visitor visas or cross the border illegally. In so doing, historic experience suggests, millions more jobs would both be available and be improved for the American workers and legal immigrants already here who would be recruited and trained to fill them.

Most of these jobs are in construction, manufacturing, hospitality and other service occupations in which millions of Americans already are seeking full-time jobs.

Your legislation also serves the interests of enlightened community-minded business owners and officials who seek a level-playing field in which their own good wages and working conditions for employees can no longer be undercut by unscrupulous competitors who engage in illegal hiring practices.

In light of the proven reliability and the high customer satisfaction ratings of the E-Verify system, we particularly applaud the requirement in your bill that all businesses in the nation use the system for new hires within 2 ½ years.

We also are pleased that the Legal Workforce Act ends the big weakness of the current E-Verify system that allows illegal workers who have stolen legitimate identities to get through the system and obtain a job. Your bill is an "E-Verify PLUS" bill that handles that weakness with an essential multiple-workplace notification system that results in the removal of existing illegal workers who are using stolen identities.

It is especially because of the "PLUS" part of this bill that we assess it to be a powerful tool to reduce under-employment in this country. We hope to see the Social Security "no-match" program added to the bill during debate to add an extra layer of cost-effective enforcement.

The Legal Workforce Act also respects that states and localities have a role in helping enforce immigration laws. We are pleased that the bill allows states and localities to use a variety of enforcement tools, including the Federal employment authorization enforcement system and the revocation of business licenses.

Amidst significant recent improvements for some Americans, large numbers are missing out. For example, the median income for all men is still stuck down at the 1975 level. Five million more Hispanic Americans are in poverty than in 1990. Competition from millions of illegal workers is only one of several major factors in wage stagnation and declined work participation rates for Americans. But illegal immigration is one factor that the federal government can easily control by taking away the chief incentive for foreign citizens to break our laws -- the ability of U.S. employers to hire illegal foreign workers.

The people who would most benefit from your legislation are those in demographic groups who are having the most difficult time in this economy: Black and Hispanic Americans, the disabled, people trying to rebuild their lives after incarceration, and Americans without college degrees, especially younger adults.

In short, the Legal Workforce Act reflects the high moral principles on economic justice and fairness advocated by the U.S. Commission on Immigration Reform chaired by the late Barbara Jordan. National governments owe their most vulnerable citizens protection from uncontrolled immigration.

Finally, serious observers of the problems on our borders recognize that the most important action that Congress could take to reduce the illegal traffic there would be to eliminate illegal crossers' belief that they will be able to obtain employment. Thus, the Legal Workforce Act would likely be the most effective border security bill ever passed.

Sincerely,

A handwritten signature in black ink that reads "Roy Beck". The signature is written in a cursive, flowing style with a large initial "R" and "B".

Roy Beck
President, NumbersUSA