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AGC of America
THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA
Quality People. Quality Projects.



June 22, 2011

The Honorable Lamar Smith
United States House of Representatives
2409 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Smith:

On behalf of the Associated General Contractors of America (AGC), I want to thank you for your work on the Legal Workforce Act (H.R. 2164). This bill would mandate the E-Verify program for all employers with regard to new hires and, in some cases, existing employees. 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.

AGC is the leading association for the construction industry. AGC represents more than 33,000 firms, including 7,500 of America's leading general contractors, and over 12,500 specialty-contracting firms. More than 13,000 service providers and suppliers are associated with AGC through a nationwide network of chapters. AGC is a strong advocate of immigration reforms, including a balanced verification program for employers.

AGC believes that any new mandatory verification system needs to include certain provisions that H.R. 2164 does try to address. Such items include:

- Federal Preemption to help address the patchwork of conflicting and confusing state and local laws;
- A "knowing" intent standard for liability for both employers and contractors that have subcontractor relationships;
- A telephonic option for using the system;
- Reasonable documentation and response times;
- A safe harbor for employers who use the system; and
- Any debarment provisions follow the process outlined in the Federal Acquisitions Regulations.

AGC would like to see other items added as the immigration debate moves forward, including a restructuring of our visa system, adequate funding for both the Social Security Administration and the Department of Homeland Security (DHS) to implement and improve the system as it expands to over seven million employers, and accountability for errors when employers are given inaccurate information.

AGC appreciates the effort that has been put into this legislation and looks forward to working with the committee as the bill progresses.

Sincerely,

Jeffrey D. Shoaf
Senior Executive Director
Government Affairs