



May 21, 2013

The Honorable Patrick Leahy
Chairman, Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Charles E. Grassley
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Leahy and Ranking Member Grassley:

The National Multi Housing Council (NMHC) and the National Apartment Association (NAA) are writing to support the bipartisan immigration reform effort in the Senate. We believe the "Border Security, Economic Opportunity and Immigration Modernization Act" (S. 744) takes important steps toward meaningful reform but we urge you to consider improvements to certain parts of the bill. NMHC/NAA support comprehensive reform to provide strengthened border security, a reasonable opportunity to earn legal status for certain undocumented individuals already residing in the U.S., an efficient and reliable worker verification system, and visa programs designed to meet workforce needs.

NMHC/NAA represent the nation's leading firms participating in the multifamily rental housing industry. Our combined memberships engage in all aspects of the apartment industry, including ownership, development, management and finance. NMHC represents the principal officers of the apartment industry's largest and most prominent firms. NAA is a federation of 170 state and local apartment associations comprised of approximately 60,000 multifamily housing companies representing more than 6.6 million apartment homes throughout the United States and Canada.

We applaud the Judiciary Committee's efforts to preserve the proposed "W Visa Program" for lesser-skilled workers, but we have significant concerns about the arbitrary 15,000 per-year cap for construction jobs, as well as the number of visas for the program overall. Current and future demand for construction jobs would dwarf these inadequate annual caps. Additional elements of the program, such as the unemployment trigger, would make this an unworkable system for lesser-skilled workers to legally enter the U.S. As proposed, the program is conceptually positive but falls short of meeting the rental apartment industry's workforce needs. These limitations threaten to exacerbate existing construction labor shortages and rising development costs thereby challenging the ability of our industry to sustain itself and grow.

NMHC/NAA support an efficient system to reliably verify the identity and legal status of employees. A requirement to use the E-Verify system should include a reasonable safe harbor for employers who use the program in good faith without liability beyond their own workers or errors made by the system. A workable visa program for lesser-skilled workers, and an effective worker verification system, are critical to national security.

We look forward to working with you on these issues to support growth for the rental apartment industry and the economy as a whole.

Sincerely,

Cindy V. Chetti
Senior Vice President for Government Affairs
National Multi Housing Council

Gregory S. Brown
Senior Vice President for Government Affairs
National Apartment Association

cc:

The Hon. Dianne Feinstein
The Hon. Chuck Schumer
The Hon. Dick Durbin
The Hon. Sheldon Whitehouse
The Hon. Amy Klobuchar
The Hon. Christopher A. Coons
The Hon. Richard Blumenthal
The Hon. Mazie Hirono
The Hon. Robert Menendez
The Hon. Michael Bennet

The Hon. Orrin G. Hatch
The Hon. Jeff Sessions
The Hon. Lindsey Graham
The Hon. John Cornyn
The Hon. Michael S. Lee
The Hon. Ted Cruz
The Hon. Jeff Flake
The Hon. John McCain
The Hon. Marco Rubio