



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