

May 24, 2016

Dear Mr. Steven:

Thank you for taking the time to contact me to express your concerns with increasing immigration levels. As your Senator, it is always good to hear from you.

There are several immigration programs that allow foreign nationals to live and work in the United States. One of those programs is the H-2B visa program. This program would permit employers to hire foreign workers to come temporarily to the United States and perform nonagricultural services.

While I understand the importance of the H-2B visa program and how it offers a means for employers to legally fill seasonal vacancies in certain businesses, I am concerned that foreign workers might be displacing Americans who are looking for employment.

Congress has set the H-2B visa cap at 66,000 per fiscal year, with 33,000 for workers who begin employment from October 1-March 31, and 33,000 for workers from April 1-September 30. The United States Citizenship and Immigration Services (USCIS) has already reached the congressionally mandated H-2B visa cap for Fiscal Year 2015. The omnibus appropriations bill included a provision essentially increasing the number of H-2B workers. I voted against the bill.

Another program that is currently hurting U.S. workers is the H-1B visa program. The H-1B visa program allows employers to bring in specialized workers who possess a bachelor degree or higher. The intent of the program was to assist companies in filling high-skilled jobs where there are not sufficient American workers to meet their employment needs.

Our visa programs were never intended to facilitate the replacement of qualified American workers with foreign workers. Nevertheless, it's happening.

I have a bill that would reform the H-1B visa program. On November 1, 2015, I introduced a bipartisan legislation, S. 2266, the H-1B and L-1 Visa Reform Act. Among various provisions, this legislation would reform the H-1B visa program by ensuring that qualified American workers are given the first opportunity at high-skilled job opportunities. It would also prohibit companies from hiring H-1B employees if they employ more than 50 people and more than 50 percent of their employees are H-1B and L-1 visa holders. This provision would crack down on outsourcing companies that import large numbers of H-1B and L-1 workers for short training periods and then send these workers back to their home country to do the work of Americans.

Lastly, I am a champion of the employment verification system, and worked to pass a reauthorization bill this year to allow employers to continue to use this free and useful website program.

E-Verify was established in 1996 as a pilot program with employers in five states allowed to participate. The pilot program was reauthorized in 2001, expanded to employers in every state in 2003 under legislation that I authored, and reauthorized again in 2008, 2009, 2012 and 2015. Today, nearly 500,000 employers use it with great success.

On April 21, 2015, I introduced S. 1032, the Accountability Through Electronic Verification Act, as a way to enhance the current program. My legislation would make the program mandatory for all employers within one year of the law being enacted. Additionally, it would allow employers to use E-Verify before a person is hired to ensure that those who are being considered for employment are of legal status. The legislation would hold federal contractors and agencies accountable to use the program and would allow the Department of Homeland Security Secretary to require "critical employers" to use it. Finally, it would increase penalties for employers

who don't use the system or illegally hire undocumented workers.

E-Verify has already proven to be a cost-free, successful tool for the companies that volunteer to use it. The program assists businesses that want to comply with immigration laws, safeguards opportunities for legal workers, and help to reduce incentives for illegal entry into the United States. Enhancing it and making it a staple in every workplace will help in holding businesses accountable.

As Chairman of the Senate Judiciary Committee, which oversees immigration and border security matters, I believe this bill should be a starting point for discussion as Congress considers the reauthorization of E-Verify.

Again, thanks for contacting me to share your thoughts on this issue. Please continue to keep me advised of your opinions on issues that are important to you.

Sincerely,

Chuck Grassley