

National Association of Counties
International Public Management Association for Human Resources
International Municipal Lawyers Association

July 5, 2011

The Honorable Lamar Smith
Chair
Committee on the Judiciary
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Smith:

We, the undersigned organizations, write to you on behalf of America's counties, municipal lawyers, and human resource professionals to express our concern over the Legal Workforce Act (H.R. 2164).

We applaud your efforts to address the issue of employment eligibility verification, but we are very concerned about a particular provision in Sec. 2 that would require re-verification of all local government employees who were not previously certified under the E-Verify Program.

This unfunded mandate would require states and localities to determine the employment eligibility of nearly all workers at a time when they are tightening their belts and conserving resources in order to meet their fiscal obligations and balance their budgets.

A recent study by the National League of Cities found that while cities and towns are balancing their budgets as required by law, they continue to face budget shortfalls that force them to lay off police, firefighters and civilian workers, reduce employee benefits, cut important services, and curtail infrastructure repairs until revenues increase.

In the spring 2011 edition of *Fiscal Survey of States*, the National Governors Association and the National Association of State Budget Officers predict that it will be several more years before state budgets return to pre-recession levels. Your legislation would place an additional fiscal burden on states and localities at a time when they can least afford it.

We also believe that re-verification itself is unnecessary. Unauthorized workers are unlikely to seek employment with government employers, who are likely to have strict policies in place to review documents and ensure that their workers are legal. In fact, a report from the Pew Hispanic Center, "A Portrait of Unauthorized Immigrants in the United States," documents that unauthorized workers are more likely to obtain work in the agriculture, construction, leisure/hospitality and services industries, where cheaper labor is desired, and where education plays less of a role in determining eligibility for work.

Thank you for this opportunity to comment on H.R. 2164. We look forward to working with you on this legislation, and hope that you will take our comments and concerns into consideration as the bill moves through the legislative process. Please feel free to contact the following individuals if you have any questions:

Sincerely,

National Association of Counties: Marilina Sanz, Associate Legislative Director, Human Services (202) 942-4260; Deseree Gardner, Associate Legislative Director, Labor and Employment (202) 942-4204

International Public Management Association for Human Resources: Tina Chiappetta, Senior Director of Government Affairs and Communications (703) 549-7100

International Municipal Lawyers Association, Chuck Thompson, General Counsel and Executive Director (202) 466-5424 x7100

