



February 9, 2010

The Honorable Charles E. Schumer
Chairman
Subcommittee on Immigration, Border Security and Citizenship
Senate Judiciary Committee
313 Hart Senate Office Building
Washington, DC 20510

Dear Senator Schumer:

We are a group of employers and their representatives from a number of sectors of the economy of New York State. We applaud the lead you have taken in drafting a comprehensive immigration reform bill in conjunction with Senator Graham. We are writing to urge you to include in the bill a visa for unskilled and skilled provisional workers, in addition to visas for seasonal and highly skilled professional workers.

The American workforce is aging. Within a decade, 75 million baby boomers will retire. By 2020, U.S. fertility rates will drop below replacement levels. The increasing complexity of the economy and the rapidly changing needs of employers mean that employers cannot always find the employees they need in the population of U.S. workers. Attractive jobs in the United States will continue to draw workers from foreign countries. Without a legal mechanism to satisfy these economic needs, illegal immigration will continue. The current downturn has done nothing to change the fundamental economic and demographic realities driving immigration today. The legislation you craft today will affect the competitiveness of the U.S. economy for the next twenty-five years.

Without an adequate supply of foreign workers at all levels of the economy, the economic recovery could be at risk. A recent study by Professor Raul Hinojosa-Ojeda of UCLA estimates that a visa program for provisional workers by itself would add approximately \$792 billion to U.S. GDP over ten years. He estimates that a comprehensive immigration reform bill which provides a pathway to legal status for unauthorized immigrants and establishes a flexible program for provisional workers would add roughly \$1.5 trillion to GDP over ten years.

The U.S. workforce alone cannot sustain a globally competitive knowledge economy. Foreigners account for two-thirds of the students in computer science and engineering programs at American universities and more than 40 percent of U.S. science and engineering PhDs. Meanwhile, at the other end of the job ladder, more than 90 percent of American men now graduate from high school and seek skilled or semi-skilled indoor work – compared to 50 percent in 1960. As employers, we need a realistic and workable visa system which allows us to hire the employees necessary to the survival of our businesses. This need exists not only in high-tech industry and agriculture but throughout the range of businesses in between, in restaurants, hotels, medical care, landscaping, manufacturing, and construction. We need a provisional visa that can expand and contract depending on the market needs for this type of workforce. Because a law that could be passed today will probably determine how effective immigration is in filling specific workforce needs, it is very

important to consider the need for provisions that work in a full economy as well as a recession.

The amnesty program of 1987 legalized three million workers but had a fatal flaw. The flaw was the omission of a legal visa for skilled and unskilled non-professional workers. As the US economy required workers that our domestic workforce could not provide, we became a magnet for illegal workers through porous borders. We don't want to see this mistake happen again. And even in this recession there are employers that cannot fill their workforce needs with domestic workers. This phenomenon actually prevents businesses from growing and creating more higher skilled positions that can be filled through our domestic workers.

Few foreign workers at the top or bottom of the economy compete with American workers. Far more often, they complement the native-born labor force and, by keeping businesses open and growing, support American jobs. An inadequate supply of foreign workers could choke the economic recovery and delay the creation of new jobs so eagerly sought by millions of Americans.

We stand ready to work with you to craft an immigration reform package that addresses all dimensions of the problem, including more effective enforcement on the border and in the workplace.

We look forward to working with you to meet this historic challenge.

Sincerely,

The Business Council of New York State

New York State Restaurant Association

Associated Builders and Contractors, Empire State Chapter

New York State Horticultural Society

New York Farm Bureau

Dairy Farmers of America, Northeast Council

Northeast Dairy Producers Association

New York State Berry Growers' Association

New York State Agricultural Affiliates

Champlain Stone

Labriola Landscaping

Schoen Custom Log Homes