

Resolution No. 4

Date: 6/8/2013

City: Washington, DC

NAHB Resolution

Title: Employment Verification  
Sponsor: Federal Government Affairs Committee  
Submitted by: Andrew Chaban

WHEREAS, the Immigration Reform and Control Act of 1986 was designed to be a solution to the broken immigration system of the day, and included reforms to address the undocumented immigrant population and new employer verification requirements;

WHEREAS, the Immigration Reform and Control Act of 1986 made it unlawful for an employer to “knowingly” employ individuals who are unauthorized to work in the United States;

WHEREAS, lawmakers have considered and continue to consider lowering the “knowing” liability standard to more subjective prosecutorial standards such as “reckless disregard” or “reason to know”; and

WHEREAS, Congress, the administration, and states look to develop enhanced employment verification requirements, including through the use of mandatory E-Verify,

NOW, THEREFORE, BE IT RESOLVED that the National Association of Home Builders (NAHB) urge Congress to focus on the direct employer-employee relationship, requiring U.S. employers to remain accountable only for the identity and work authorization status of their direct employees, and oppose any effort to make employers responsible for the verification of other businesses’ workers.

BE IT FURTHER RESOLVED that NAHB urge Congress to preserve the “knowing” liability standard which all U.S. employers are currently held to, and oppose efforts to lower the liability standard.

BE IT FURTHER RESOLVED that NAHB urge Congress to include, in any electronic verification system considered, a strong pre-emption clause, employer safe harbor, and other necessary provisions that will make a mandated program workable for employers, including small businesses.

Board of Directors Action:	Approved
Executive Board Action:	Recommends Approval
Resolutions Committee Action:	Recommends Approval
Custom Home Builders Committee Action:	Recommends Approval
Single Family Production Builders Committee Action:	Recommends Approval
Business Management & Information Technology Committee Action:	Recommends Approval
State and Local Government Affairs Committee Action:	Recommends Approval
Single Family Small Volume Builders Committee Action:	Recommends Approval
Federal Government Affairs Committee Action:	Recommends Approval