



Employment- Based Immigration Reform



The U.S. immigration system is broken, jeopardizing national security, leaving more than 100,000 construction workers' futures in the hands of regulators and the courts, and providing no legal pathway for lesser-skilled immigrants to help meet workforce demands. These shortcomings have contributed directly to the industry's severe labor shortages. Immigration is a complex issue that affects individuals, industries, and employers, but it can no longer be ignored given the nation's pressing workforce needs.

- **Create New Temporary Visas for Lesser-Skilled Workers to Address Workforce Needs and Curb Illegal Immigration.** Current legal immigration programs provide visas for seasonal non-agricultural workers (H-2B), seasonal agricultural workers (H-2A), and highly-skilled workers (H-1B). However, there is no year-round visa option for lesser-skilled immigrants to meet current or projected workforce needs in construction. Immigration reform must create such a legal pathway while also securing the border and reducing the incentive for unauthorized employment. AGC supports the Essential Workers for Economic Advancement Act, which would establish a market-driven, temporary visa program for lesser-skilled, year-round, non-agricultural occupations.
- **Ensure the H-2B Visa Program Remains a Viable Option for Construction Employers.** While the H-2B program helps meet some employer needs, the statutory cap is far too low to satisfy demand. Exempting returning workers who have complied with the law from the annual cap and allowing the cap to adjust with economic conditions would strengthen the program. AGC urges Congress to expand access to H-2B visas in the FY 2026 DHS funding bill by providing additional visas and to adopt reforms that make the program more responsive to the construction industry's workforce needs.
- **Support the Dignity Act to Strengthen Borders and Modernize the Immigration System.** The Dignity Act (H.R. 4393) would establish a pathway to legal status and work authorization for long-time workers, including Dreamers (DACA) recipients and certain Temporary Protected Status (TPS) holders, who meet strict requirements. It would also:
 - Invest in U.S. workforce development through funding for training, apprenticeships, and related programs;
 - Phase in mandatory use of DHS's E-Verify system to ensure a legal workforce; and
 - Enhance border security through physical and technological improvements.

ACTION NEEDED

1. **Support legislation to establish a new visa program for construction workers and help maintain the construction industry's access to the H-2B visa program and to improve programmatic reforms; and**
2. **Cosponsor H.R. 4393, the Dignity Act, which would strengthen borders and modernize the immigration system.**