



January 11, 2017

**Oppose Flake SA 39—Elimination of Davis-Bacon**  
**Oppose Flake SA 45—VA Ban on Employment for Formerly Incarcerated**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States, we write to express our opposition to the following amendments filed as part of the “vote-a-rama” during the January 2017 budget resolution (S. Con. Res. 3) process in the Senate.

- **Flake Amendment SA 39:** This amendment would eliminate Davis-Bacon wage requirements for federally funded infrastructure construction projects. If Congress moves forward on investing in jobs and infrastructure in the 115<sup>th</sup> Congress, it must include fair wages for working people. The Davis-Bacon prevailing wage requirements have long ensured that individuals working on federally funded construction projects are paid fairly. Repeal of the Davis-Bacon prevailing wage requirements would harm working people and erode labor standards across multiple sectors, including transportation and water.
- **Flake Amendment SA 45:** This amendment would create a blanket prohibition on the Secretary of Veterans Affairs from hiring the formerly incarcerated without any consideration or inquiry into the relevance of the particular felony to the nature of the job. An estimated 70 million adults, including veterans, have arrests or convictions that will show up on routine background checks.<sup>i</sup> Employment is the most important influence in decreasing recidivism,<sup>ii</sup> and in 2014 alone, poor job prospects for formerly incarcerated individuals reduced U.S. GDP by as much as \$87 billion.<sup>iii</sup> This policy lacks nuance and adoption of the policy in this amendment may increase recidivism.

Thank you for your consideration. If you have any questions, please contact Emily Chatterjee, Senior Counsel at (202) 466-3648.

Sincerely,

Wade Henderson  
President & CEO

Nancy Zirkin  
Executive Vice President

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Anti-Defamation League  
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Wade J. Henderson  
**Executive Vice President & COO**  
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<sup>i</sup> Maurice Emsellem & Michelle Natividad Rodriguez, National Employment Law Project, Advancing a Federal Fair Chance Hiring Agenda (Jan. 2015), *available at* <http://www.nelp.org/content/uploads/2015/01/Report-Federal-Fair-Chance-Hiring-Agenda.pdf>.

<sup>ii</sup> Mark T. Berg & Beth M. Huebner, Reentry and the Ties that Bind: An Examination of Social Ties, Employment, and Recidivism (2011), *available at* <http://www.tandfonline.com/doi/full/10.1080/07418825.2010.498383>.

<sup>iii</sup> Cherrie Bucknor & Alan Barber, Center for Economic Policy Research, The Price We Pay: Economic Costs of Barriers to Employment for Former Prisoners and People Convicted of Felonies (June 2016), *available at* <http://cepr.net/images/stories/reports/employment-prisoners-felonies-2016-06.pdf?v=5>.