IMMIGRATION REFORM FOR AGRICULTURE

This year, Congress must enact immigration reform that addresses agriculture’s unique workforce needs. SAF supports improved border security and an improved E-Verify program. In addition, both of the following must be included in legislation:

1. **An adjustment of status to allow us to retain our current, experienced, but unauthorized workers.** This program should include a future obligation to work for a number of days annually in agriculture for several years. Upon completion of this work obligation, workers could obtain permanent legal status and work in whatever industries they choose, including agriculture.

2. **An uncapped Agricultural Worker Visa Program to ensure agriculture’s future legal workforce.** This program should allow two options:
   
a) A “portability option” which would allow workers to move from a registered employer to another registered employer without any contractual commitment.
   b) A “contract option,” if the employer and worker prefer to enter into a private employment contract. The current H-2A program should also be maintained, at least for a transition period.

In the short term, work authorization for current employees is necessary to maintain stability in agriculture. As many as 70 percent of agriculture’s 1.8 million workers are unauthorized. For years, growers have had no way of knowing if applicants are legal, because employers must accept documents that appear genuine. Many trained and trusted employees may be unauthorized. Any solution must deal with this fact.

For long-term stability, the new Agricultural Worker Visa Program will provide access to a legal, reliable workforce into the future and the flexibility to meet the needs of all producers. However, it will take time to put the new options into place. They will provide a future workforce, but cannot replace the current workforce immediately.

Agriculture faces a critical lack of workers. Agriculture employment is in chaos. Enforcement and audit efforts, focused on employers, are increasing. States are passing their own laws. Wages, already at or above minimum wage, are not the issue. Few Americans will take these labor-intensive, and often seasonal, jobs.

The immigration problem is an economic one. As enforcement increases and the workforce stability becomes more uncertain, agricultural production is moving offshore. The three to five American jobs each agriculture job supports in communities across the U.S. are also lost.

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