

August 1, 2001

Support Migrant Farmworkers --

Oppose Craig/Cannon "Guestworker" Proposals

Dear Member of Congress:

The many organizations listed below ask you to join with us in seeking a better future for migrant and seasonal farmworkers in this country. Because the bills introduced by Senator Larry Craig, S. 1161, and Rep. Chris Cannon, H.R. 2457, regarding agricultural guestworker policy, would unfairly harm farmworkers, we strongly oppose them. These new bills represent significant steps backward -- moving significantly away from recent efforts at compromise. Please oppose these bills.

Senator Craig's S. 1161 is another in a series of bills introduced during the past few years at the request of agricultural employers. The bills have varied, but generally their focus has been on transforming the agricultural labor force into "guestworkers." These bills proposals have paid lip service to the need to improve wages and working conditions for farmworkers, reduce employee turnover, and legalize the immigration status of the many undocumented farmworkers. The real-world consequences of these proposals, however, would be just the opposite. Most notably, the proposed qualifications for undocumented farmworkers to gain immigration status have been so onerous that few workers would ever prove their eligibility. Without a real legalization program, employers will have a choice of vulnerable job applicants. Some will be exploitable undocumented workers. Others will be "guestworkers," who, as non-immigrants, lack the freedoms that other workers have, including to choose their employers, and fear the consequences of seeking better job terms or enforcement of labor laws.

Agricultural employers already may secure temporary visas to hire foreign workers under the H-2A temporary foreign agricultural worker program. This program has no limits on the number of visas issued each year. In 1997, the General Accounting Office found that the U.S. Department of Labor approves 99% of employers' applications under the H-2A program. The H-2A program has been spreading rapidly to new crops and states during the past several years. The General Accounting Office, *The Charlotte Observer*, *The New York Times* and other media have revealed the inadequate standards, lack of compliance with legal obligations and abuses of workers under the H-2A program.

Yet, Senator Craig's bill, S. 1161, and recent grower-supported proposals, would lower wages at H-2A employers, and substantially weaken or remove labor protections. Rep. Cannon's bill, H.R. 2457, focuses the H-2A program's wage protections.

It would eliminate the adverse effect wage rate ("AEWR"), which is intended to limit employers' ability to depress wage rates by hiring vulnerable foreign workers. Rep. Cannon's bill also would insert various loopholes to enable many employers to escape paying even the new lower minimum rates. Farmworkers' wages already are too low; most live below the poverty line.

These guestworker proposals by Sen. Craig and Rep. Cannon should be rejected. More reasonable legislation will be introduced and should be supported.

The undersigned organizations also believe that:

- Undocumented farmworkers should be offered a meaningful path to immigration status and citizenship. The model for this country is, and should be, immigration, not a system of indentured servitude.
- Agribusiness employers should stabilize their work force by improving wages and working conditions and increasing productivity through modernized labor relations. Federal policies should encourage such efforts.
- The H-2A program, which should be a program of last resort, must be reformed to protect vulnerable guestworkers and U.S. workers from being forced to accept poor wages and working conditions.
- All farmworkers should be given the right to organize labor unions free from employer reprisals, coverage under workers' compensation insurance for work-related illness and injury, access to unemployment compensation, sanitary facilities at work and other protections that most other workers rightfully take for granted.

We have reached a turning point in this nation's history regarding immigration and labor policy; we hope that you will join with us in moving this nation forward and not take the backward steps represented by the legislation introduced by Sen. Craig and Rep. Cannon. Thank you for your consideration.

Sincerely,

Farmworker Justice Fund (contact: Bruce Goldstein, 202-776-1757)

National Council of La Raza (contact: Cecilia Muñoz, 202-785-1670)

Farm Labor Organizing Committee, AFLCIO

League of United Latin American Citizens (LULAC)

Lutheran Peace Fellowship

Mexican American Legal Defense and Educational Fund

National Employment Law Project

National Farmworker Ministry

National Immigration Project of the

National Lawyers Guild

United Farm Workers of America, AFLCIO

United Food and Commercial Workers International Union, AFL-CIO

United Methodist Church, General Board of Church and Society

Americans for Democratic Action, Inc.

Association of Farmworker Opportunity Programs

California Institute for Rural Studies

California Rural Legal Assistance Foundation

Campaign for Labor Rights, DC

CAUSA

Center for Changing a Workforce, WA

Centro de los Trabajadores Agricolas Fronterizos, TX

Catholic Migrant Farmworker Network, Inc.

Catholic Charities, NY

Coalition of Mexicans Abroad

Commission on Peace and Justice, Roman

Catholic Diocese of Albany, NY

Disciples of Peace Fellowship

El Colegio Popular, Romero Peace & Justice Center, CA

Episcopal Diocese of Western NC

Farmworker Association of Florida

Farmworker Legal Services of NY

Florida Legal Services, Inc.

Global Exchange, San Francisco, CA

Hispanic Organizations Leadership Alliance, MD

Human Rights Advocates, CA

Immigrant Legal Resource Center, San Francisco, CA

Independent Farmworker Center/Centro Independiente de Trabajadores Agricolas (CITA), NY

Interfaith Committee, CA

Institute for Peace and Justice, MO

Justice for Farmworkers Campaign, NY

Lane County Human Rights and Environment Campaign, OR

Latinos Unidos Siempre (LUS)

Mano A Mano Family Center

North Carolina Justice and Community

Development Center, NC

Oregon Farm Worker Ministry

Our Lady of Victory Missionary Sisters

Pilgrim United Church of Christ, CA

Pineros y Campesinos Unidos del

Noroeste, PCUN, OR

Rural and Migrant Ministry, Inc., NY

School Sister of Notre Dame SHALOM North America

Student Action with Farmworkers, NC

Victory Noll Missionary Sisters, IN

Viva la Causa

Walk for Famworker Justice, OR

Washington Alliance of Technology Workers, WA

World Hunger Year, Inc., NY