

June 11, 2019

Farmworker Justice Condemns House Amendment to the DHS Appropriations Bill Expanding the H-2A Agricultural Guestworker Program to Year-Round Jobs

The House Appropriations Committee, while voting on the FY 2020 spending bill for the Department of Homeland Security today, added a fundamental, substantive change to the H-2A temporary foreign agricultural worker program. The amendment would allow agricultural employers to hire agricultural guestworkers for jobs that are year-round. Currently the uncapped H-2A program is limited to jobs that are temporary or seasonal. The effort to change the scope of the H-2A program through an amendment on the appropriations bill was led by Rep. Newhouse (R-WA) and Rep. Cuellar (D-TX). Farmworker Justice appreciates the comments of Representatives Roybal-Allard, DeLauro, Torres, and Kaptur in speaking out against the amendment.

Farmworker Justice strongly opposes this proposed change and the method by which it was adopted. Bruce Goldstein, President of Farmworker Justice, said: “Expanding the H-2A program to year-round jobs would contravene the purpose of the program and further distort the agricultural labor market. The H-2A program is premised on the idea that it may be difficult to find U.S. workers for seasonal farm jobs because they yield lower annual incomes than year-round jobs. That same logic does not apply to year-round employment. Agricultural employers with year-round jobs should do what any other employer must do to attract and retain workers: improve wages and working conditions.”

This amendment does nothing to fix the H-2A program and will only worsen the situation for our nation’s dedicated farmworkers. The H-2A program is rife with abuses resulting from unscrupulous employers that take advantage of the vulnerable guestworkers, displacing U.S. workers and undermining U.S. workers’ labor standards. One year-round industry—dairy—is an example of the challenges workers face and why conditions must be improved. Dairy workers face long hours, low pay, and [difficult and dangerous working conditions, such as death by drowning in a manure pit](#). Allowing employers to bring in unlimited numbers of visa captive workers for these positions would undermine efforts to improve the positions.

Moreover, expanding the H-2A program to include year-round jobs does nothing to address the roughly one million current farmworkers who are undocumented and face the threat of deportation. It makes little sense to allow employers to hire H-2A workers to displace their current undocumented farmworkers.

Farmworker Justice calls on Congress to prevent this amendment from passing and to pass legislation granting immigration status and a path to citizenship for undocumented workers and their family members. The solution to the agricultural industry’s reliance on immigrant workers must be to respect the contributions and humanity of those workers by passing comprehensive immigration reform. The Agricultural Worker Program Act of 2019 (S. 175/H.R. 641) would do that by providing an opportunity to move forward a positive and workable solution in Congress that will meet the needs of workers, agricultural employers, and our food system.