

# AFL-CIO

## LEGISLATIVE ALERT

October 3, 2017

The Honorable Robert Goodlatte  
Chair  
U.S. House Judiciary Committee  
2138 Rayburn House Office Building,  
Washington, DC 20515

The Honorable John Conyers  
Ranking Member  
B351 Rayburn House Office Building,  
Washington, DC 20515

Dear Chairman Goodlatte and Rankin Member Conyers:

On behalf of the AFL-CIO, I urge you to oppose the Agricultural Guestworker Act of 2017, which would create a new H-2C program that would expand not just the number of visas employers could access, but also the categories of work eligible. By removing the seasonal requirement for the program and broadening the definition to include food processing and manufacturing jobs, this expansion promises to make previously full time, family-sustaining jobs insecure and temporary. The program's complete lack of protections for U.S. workers would result in displacement for hundreds of thousands of U.S. citizens and lawful permanent residents.

In the broader context of our country's toxic immigration policy debates, this bill lays bare the alarming strategy of some Republicans to criminalize and deport millions of people who have been working in our country for decades, only to replace them with a massive temporary workforce whose fate and rights are entirely controlled by their employers. Not only does the Ag Act offend core labor values of equal treatment and dignity for all work, but it also runs directly counter to a raising wages agenda. Congress should take steps to strengthen protections for agricultural workers, not weaken them, and should enact reforms that bring integrity and justice to the H-2 visa programs, rather than exponentially expanding an exploitative model.

The continued employer demand for more guestworker visas says more about what is wrong with our economy than about the most urgent problems with our immigration system. At a time when we face unprecedented levels of inequality and decades of wage stagnation, it is irresponsible to expand access to employment-based temporary work programs that will continue to hold down wages, increase worker vulnerability, and prevent working people from ever gaining full rights as citizens. As currently structured, the H-2A and H-2B visa programs allow employers to stifle wages, create a captive workforce, discriminate in hiring, and quash workplace organizing. Under the H-2C program proposed in the Ag Act, these already egregious conditions would grow substantially worse.

This bill threatens to strip away even the minimal worker protections that have been hard-won over decades of advocacy, including essential prevailing wages provisions. When our laws allow captive guestworkers to be paid substantially less than their local counterparts for the same work, they create a clear and perverse incentive for employers to prefer to hire temporary, disposable workers. Guestworkers are already uniquely dependent on employers for their ability to work and remain in the United States, and this bill would increase their vulnerabilities still further by substantially limiting workers' access to justice.

While the bill purports to offer green cards to agricultural workers, the number available is extremely limited and not nearly adequate to stabilize the current workforce. Moreover, petitions for permanence would be controlled by employers, continuing dynamics ripe for abuse. We need a broad and inclusive pathway to citizenship for working people in our country, not another tool for employers to use to keep working people from standing up for their rights on the job.

The labor movement has long fought to correct the imbalance of power within our immigration system in order to build an economy that works for working people. Our unity principles call for structural reforms to our employment-based visa system to prevent indentured work and base future levels of entry on the real needs of the labor market rather than employers' insatiable demand for captive and exploitable workers. The Agricultural Guestworker Act would use our work visa system to facilitate a race to the bottom in rights, wages and standards for all working people in our country. We urge you to oppose.

Sincerely,



William Samuel, Director  
Government Affairs Department

WS/CC/lkr

cc: House Judiciary Committee Members

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**American Federation of Labor and Congress of Industrial Organizations**

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