

Congress of the United States
Washington, DC 20515

Oppose H.R. 1773, the Agricultural Guestworker Act

Dear Colleague:

We write to share our strong opposition to Rep. Goodlatte's Agricultural Guestworker Act ("AG Act"), HR 1773. The bill would create one of the worst agricultural guestworker programs in over half a century and would convert an entire industry, from the fields to the processing plants, to an army of guestworkers with virtually no workplace protections and no opportunity to earn citizenship. As Members who truly understand worker contributions and protections are integral to our nation's economic success, we urge you to oppose HR 1773.

Rep. Goodlatte's new agricultural guestworker program summarily erases the worker protections in the current H-2A program that exist to protect both U.S. workers and guestworkers. The H-2A program's modest wage and other labor protections were developed in response to lessons learned under the Bracero and former H-2 programs. Under these programs, US farmworkers lost job opportunities and experienced a depression in wages and worsened workplace conditions due to an influx of guestworkers. The guestworkers' temporary nonimmigrant status made them dependent on their employers, with no ability to negotiate for higher wages or better working conditions.

Conditions for farmworkers outside of the H-2A program are also in desperate need of improvement. As in generations past, today's farmworkers experience high rates of unemployment and low wages. Poverty among farmworkers is more than double that experienced by other wage and salary workers. Farm work is one of the most hazardous occupations in the country, with routine exposure to dangerous pesticides, arduous labor and extreme heat. Despite these working conditions, farmworkers are excluded from important labor protections other workers enjoy, such as many of the OSHA labor standards, the National Labor Relations Act, overtime pay, and even the minimum wage and unemployment insurance with certain small employers.

The proposed AG Act would exacerbate the dire situation for farmworkers by eliminating and substantially reducing almost every protection currently found in the H-2A program. HR 1773 would deprive hundreds of thousands of US workers of job opportunities by reducing recruitment requirements and job preferences for US workers by making it easy for employers to bring in vulnerable foreign guestworkers. HR 1773's wage requirements would result in workers being paid far below the average wage, with wage cuts ranging up to more than \$2.00 per hour in some regions. On top of these sharply reduced wages, guestworkers would be subjected to a 10% wage deduction—even if it brought their wages below the minimum wage—which would be returned to the worker only when they returned to their home country and complied with other time-consuming and costly requirements. Unlike either the Bracero or H-2A programs, Rep. Goodlatte's bill would require workers to pay for their own housing and transportation with their meager earnings. These provisions combined result in a massive cut in wages for the already poorly paid agricultural workforce. Moreover, agricultural workers under HR 1773's proposed H-2C program would be excluded from coverage under the Migrant and Seasonal Agricultural Worker Protection Act, a key employment law for farmworkers who are excluded from many other federal labor protections.

Rep. Goodlatte's AG Act would create a uniquely vulnerable temporary agricultural workforce that would have devastating impacts on wages and working conditions for all agricultural workers, including U.S. workers. We urge our colleagues to oppose HR 1773.

Sincerely,



TONY CARDENAS
Member of Congress



GEORGE MILLER
Member of Congress



JUDY CHU
Member of Congress