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Senator Craig (R-ID) and Kennedy (D-MA) Introduce AgJobs Bill

Of the USA's 1.6 million agricultural work force, more than half is made up of workers not legally authorized to work here — according to a conservative estimate by the Department of Labor, based astoundingly, on self-disclosure in worker surveys.



US Senator Larry Craig (R-ID)

Reasonable private estimates run to 75 % or higher. Workers here illegally are among the most vulnerable persons in our country, and know they must live in hiding, not attract attention at work, and move furtively. They cannot claim the most basic legal rights and protections. They are vulnerable to predation and exploitation. In response, Senator Larry Craig, Sen. Ted Kennedy and others have introduced legislation to address these challenges — S.1645, the Agricultural Jobs, Opportunity, Benefits, and Security (AgJOBS) Act of 2003. The following outlines the case for the bill and answers to frequent questions or objections. Workers covered by the AgJOBS bill would be better off

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US Senator Edward M. Kennedy (D-MA)

Latino Groups Support Bill to Legalize the Migrant Workforce

MALDEF, joined by the League of United Latin American Citizens (LULAC) and the William C. Velasquez Institute (WCVI), are pleased to support the bi-partisan compromise Agricultural Job Opportunity, Benefits and Security Act of 2003, S. 1645. The bill, which would legalize and allow migrant agricultural workers to finally stabilize their lives, is the first significant step towards the type of comprehensive immigration reform needed to not only legalize undocumented agricultural workers covered in this bill, but all hard-working undocumented workers and their families.

"Agricultural workers are some of the

WCVI-MirRam Group Poll: Immigration Reform Supported by Latino Voters

Washington, DC- A new WCVI-MirRam Group survey of Latino voters shows that Latino voters across the country continue to support fair and inclusive treatment for undocumented

immigrants, including support for guest worker programs and adjustment of status programs of various types, particularly the currently pending bipartisan AgJOBS bill sponsored by Senators Craig and Kennedy. "Latinos have a world-view that values the contribution of immigrant workers to America's economy as well as sympathizes with families that seek a better life here," said Antonio Gonzalez,

Call to Action!

Call, fax, write or email your Senators and Representatives urging those who have not yet co-sponsored S. 1645 or H.R. 3142 and strongly urge them to become cosponsors. And, please thank those who have.

On page 6 you will find a sample letter that you can write to your representatives!

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WCVI President's Editorial

FAIR Flesh Peddler Oppose Immigrant Reform



Webster's Dictionary defines the word fair as "marked by impartiality and honesty, free from self-interest, prejudice, or favoritism". How ironic then that an organization, whose sole purpose is to espouse an extremist, racially insensitive point of view toward immigrants and immigration reform, would call itself FAIR. That organization is the Federation for American Immigration Reform (FAIR). To be true, FAIR is neither impartial, honest nor free from self-interest or prejudice.

FAIR is self-described as a "national pro-limits population organization working for a moratorium on immigration." Founded in 1979 by Dr. John Tanton, a Michigan resident who served as president of Zero Population Growth in the 1970's, FAIR has a history of aggressive, deceptive behavior. Allied with the Pioneer Fund, which supported academic research claiming African Americans and Latinos were "inherently inferior to whites and Asians", FAIR has stood lock step with some of the most extremist of anti-immigrant groups.

Today, one of its supporters, U.S. Representative Tom Tancredo, a Republican from Colorado, is accusing the United States of being "an escape valve for [Mexico's] unemployment problems". Congressman Tancredo, FAIR, and other extremists are trying mightily to derail bipartisan efforts in the Congress to enact meaningful immigration reform, painting a misleading picture of rampant immigration.

What FAIR and Congressman Tancredo fail to recognize is that the time has come to correct a serious problem that faces America's agricultural industry. Farmers are faced with a choice each year, forced to decide between hiring undocumented labor to pick their crops or leave those crops on the ground because of a lack of workers. And farm workers continue to toil in the hardest and lowest paying jobs in America, without rights or hope. As a result, a growing number of bipartisan members of Congress have listened to the concerns of farmers and business organizations across America and written legislation that will enable farmers to hire a legal, stable workforce.

Simply put, the Agricultural, Job Opportunity, Benefits and Security Act of 2003, or AgJOBS, is groundbreaking legislation co-authored by Republican and Democratic lawmakers to reform the antiquated Guestworker Program for agriculture and allow farm workers - already working in the fields - to earn their way toward becoming permanent residents.

Without the passage of AgJOBS, the crisis confronting grower and worker alike will continue. Growers will continue to look the other way when it comes to the people who pick in their fields, risking the security of their farms and fields. And workers will continue to live in the shadows, participating in a circular migratory dance each year, risking their lives to help pick our food.

In any other time, an organization such as FAIR would be just another extremist group, lurking in the shadows trying to leave its dark stain on society like many we have seen in the past -- those who espoused Nazism, racial purity and white supremacy. But today, this group and its allies stand in the way of meaningful immigration reform supported by Republicans and Democrats, farmers and farm workers, the Latino Community, the U.S. Chamber of Commerce and organized labor.

Maybe FAIR ought to choose another word to represent itself, something a little more honest and truer to their calling. We were thinking about the word demagogue.

Latinos Support AgJobs

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most exploited people in the Latino workforce. This bill would allow these workers to come out of the shadows and, not only provide them with legal status, but finally give them a voice of their own to end serious labor abuses," said Vibiana Andrade, MALDEF Vice President of Public Policy. "While the bill is a step in the right direction, MALDEF is still very concerned that it doesn't address ongoing issues affecting temporary workers. We will continue to work to improve the lives and treatment of temporary workers."

"This is a huge victory for the thousands of people who toil in the fields, and this bill recognizes the exploitation of these hard-working people whose labor America depends on," said Antonio Gonzalez, President of William C. Velasquez Institute.

"Our immigration system is broken, a situation that has allowed abuses in the agricultural community to exist for decades. This bill is a step in the right direction, but we can't forget about the needs of the thousands of temporary workers who are still subject to exploitation," said Gabriela Lemus, Director of Policy and Legislation for LULAC.

MALDEF, LULAC and WCVI will work to pass this historic piece of legislation but will also work to make sure that temporary workers are not left behind in the effort to legalize migrant workers. ☒

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AgJobs Bill

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than before. (a) Academic surveys establish that undocumented farmworkers much prefer the opportunity to work legally in the United States, even as temporary workers, because their rights are better protected, their jobs are guaranteed and they can legally enter the country. AgJOBS would grow that program, which currently employs only 2 to 3 percent of all farmworkers. (b) Today, farmworkers without legal documentation are the most vulnerable workers in America. For these workers (who are outside the H-2A program), every worker who gains legal status finally will be able to assert legal protection — which leads to higher wages and better working conditions.

(1) AgJOBS addresses both, near-term and long-term needs

The bill takes a two-part approach to achieving a stable, legal, agricultural work force: (1) Streamlining the H-2A guest worker program and making it more practical, secure, and fair — and (2) Providing for the one-time adjustment to legal status of some farm workers who currently lack legal documentation.

(2) The AgJOBS approach is WIN-WIN

Workers get legal status and better wages and working conditions. Growers and workers get a stable work force. Consumers get better assurance of a safe, stable, American-grown, food supply. Others may try to pit one side against the others. AgJOBS takes a balanced approach, working to help everyone.

(3) AgJOBS would improve border and homeland security

Up to 500,000 workers (more by some estimates) would be brought out of the underground economy and register with a government program adjusting them to legal status, and future H-2A workers will be screened and monitored to address security concerns.

(4) AgJOBS is needed to ensure the security and safety of our domestic food supply. Improved border security and enforcement of immigration laws; a chronic, worsening, farm labor shortage; and the prohibitive costs, delays, and paperwork of the current H-2A program threaten to force Americans to rely increasingly on imported food.

(5) The status quo is intolerable

The ONLY ones who should oppose AgJOBS are those who have a vested interest in preserving the status quo — like the “Coyotes” who smuggle workers across the border in unsafe, inhumane conditions, and often charge workers thousands of dollars for a “job-finder fee”.

(6) What are the prospects for AgJOBS legislation?

Wide open and promising. AgJOBS has significantly helped to stir and shape the current public debate. Representatives for growers and farm worker, Hispanic and immigration advocates, Members of Congress, and others have conducted robust discussions, with the hope of reaching a bipartisan agreement. The issue of achieving a legal work force is alive, dynamic, and multi-dimensional. This bill is based on the best of 5 years of various proposals.

(7) Is AgJOBS an “Amnesty” Program?

No. Under AgJOBS, workers would make a substantial work commitment to **earn** the right to stay. This would be a **one-time** program, for workers already here, with a significant U.S. work history, prior to introduction of the bill, so it would not encourage any future illegal activity. This is a balanced approach, encouraging workers to come into compliance with the law.

(8) What about complaints that AgJOBS sets the bar too high to actually help workers?

To qualify to enter the adjustment program under AgJOBS, a worker must have a substantial work history in the United States — 100 days in a recent 12-month period. (The average farmworker works about 120 days a year.) To earn adjustment, a

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AgJobs Bill

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worker would continue working in agriculture for at least 360 days over the next 3-6 years. Now, however, that worker would be here legally, no longer “underground”, and could work for any employer(s) — and in other industries, provided the farm work requirement is met. Being able to demonstrate legal status (a temporary resident work visa) will increase the demand, and the amount of work available, for these adjusting workers, making it easier for them to meet the future work requirement and to bargain for better wages and conditions. Adjusting workers’ spouses and minor children (an estimated 300,000) would have a limited right to stay in the U.S. during adjustment and be protected from deportation.

(9) Why only agriculture?

(a) The lack of a sufficient, **legal** work force has reached crisis proportions in agriculture, unmatched elsewhere. According to the government’s own estimates, **half** of our 1.6 million agriculture work force is not legally authorized to work here. This is certain to be a low estimate, because it is based upon **self-disclosure** by illegal workers to government interviewers. (b) The agriculture community and involved Members of Congress have been working on the issue for years. Now, a fully-developed proposal is ready that is tailored to the unique — and urgent — needs of agriculture. Other sectors have different, unique needs. However, experience with addressing agriculture’s needs may prove a helpful guide for others. (c) In an effort to give workers maximum economic opportunity, and to be helpful in addressing needs in other industries, **AgJOBS** allows adjusting farmworkers also to work in other jobs, as long as their agricultural work requirement is met. ☒

Immigration Reform

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WCVI president.

When asked to chose between various immigration policy options only 10% of Latino voters preferred halting illegal immigration, while 62% preferred measures to legalize undocumented immigrants with at least five years of residency and no criminal record, and 16% preferred expanded guest workers programs that temporarily hire immigrant labor in regions with labor shortages.

During the 1940’s, 50’s, and 60’s, the U.S. and Mexico had a migrant farm worker program called the “bracero program” that brought thousands of Mexican workers to the U.S. to work in the fields. Have you ever heard of the “bracero” program?	
Yes	55%
No	44%
Don’t Know/Refused	1%

When asked specifically about the key provisions of the AgJOBS bill Latinos favored by more than two to one a program that brings in foreign farm workers to fill labor shortages in agriculture on a temporary basis, as well as an “earned legalization” program that provides adjustment of status to undocumented farm workers currently employed in U.S. farms that continue to work in agriculture for a certain amount of days over a several year period. “Latino voters support prudent measures like AgJOBS that balance the need for immigration reform, food security, and economic growth,” continued Gonzalez.

Allowing “illegal” immigrant farm workers to get papers to enter the United States legally?	
Favor	72%
Oppose	23%
Don't Know/Refused	5%

“Latinos reject the premise that immigrants take jobs Americans want, abuse government services, or pose a security threat,” said Gonzalez. For example, when asked if “illegal farm workers take jobs Americans want” Latino voters overwhelmingly responded no 75% to 13% yes. WCVI asked this question in California in

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Immigration Reform

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1999 -the number one state where farm workers are concentrated and found nearly identical attitudes.

Similarly, when asked if bringing in guest workers (“foreign farm workers”) help or hurt American workers, Latino voters responded by more than six to one that guest workers in agriculture do not hurt American workers or have little or no effect. This response is also similar to WCVI’s 1999 poll numbers.

“It may be that the bipartisan AgJOBS bill provides an opportunity for Washington, DC to break its immigration reform logjam. Latino voters will look kindly on politicians that are sensitive to immigrants and promote common sense reform. This also may be an opportunity for President Bush to regain some lost momentum with Latino voters. Our survey also showed that Hispanics felt by 54% to 37% that the president has not served them well,” Gonzalez concluded.

The MirRam Group of New York, a nationally recognized, Latino-owned market research firm conducted the survey for WCVI from September 24 through October 2nd. Latino registered voters in the five major Latino-concentration states: California, Texas, Florida, New York and Illinois were contacted. These five states represent 80% of all Latino registered voters. Bilingual pollsters gathered interviews from a sample of Spanish-surnamed voters. The margin of error at 95% confidence level on a sample of 1060 = +/-3%. The MirRam Group and WCVI have partnered to do survey research since 2002. ☒

How would you describe the "bracero" program?	
A useful program that provided Mexican workers with jobs and filled labor shortages in the U.S	61%
An exploitative program that deprived Mexican workers of their rights and took jobs from Americans	23%
Both	8%
Neither	5%
Don't Know/Refused	4%

Allowing illegal immigrant farm workers to get work permits and eventually become permanent residents in exchange for several years of mandatory agricultural labor?	
Favor	65%
Oppose	30%
Don't Know/Refused	5%

Bringing increased numbers of immigrants into the United States on a temporary basis for farm labor when there are labor shortages?	
Favor	64%
Oppose	31%
Don't Know/Refused	5%

Do you think the U.S. should:	
Try its best to keep "illegal immigrants" from working in the United States	10%
Look the other way and allow illegal immigration	4%
Enact a program that allows "illegal immigrants" to work temporarily in the U.S. legally	16%
Enact a program to legalize "illegal immigrants" who have lived in the U.S. for at least five years, are employed, and have no criminal record	62%
None of the above	3%
Don't Know/Refused	5%

Farm workers are some of the lowest paid workers in the U.S. Do you agree or disagree that they should receive higher wages even if it causes food prices to rise?	
Agree	75%
Disagree	19%
Don't Know/Refused	7%

Some experts say that over 50 percent of farm workers working in the United States are "illegal aliens". Do you think these farm workers:	
Generally take agricultural jobs that Americans do not want	75%
Generally take jobs from Americans who want and would take them	13%
Neither	5%
Both	2%
Don't Know/Refused	5%

Do you think a program to allow foreign farm workers to enter the U.S. legally to do seasonal farm work would:	
Hurt American Workers	13%
Help American Workers	40%
Have little or no effect on American Workers	40%
Don't Know/Refused	7%

Call to Action!

Call, fax, write or email your Senators and Representatives urging those who have not yet co-sponsored S. 1645 or H.R. 3142 and strongly urge them to become cosponsors. And, please thank those who have.

As of November 14, S.1645 cosponsors include: Baucus [MT], Bayh [IN], Bingaman [NM], Boxer [CA], Breaux [LA], Burns [MT], Campbell [CO], Cantwell [WA], Clinton [NY], Cochran [MS], Coleman [MN], Corzine [NJ], DeWine [OH], Domenici [NM], Durbin [IL], Edwards [NC], Enzi [WY], Feingold [WI], Fitzgerald [IL], Graham [FL], Gregg [NH], Hagel [NE], Harkin [IA], Hatch [UT], Kennedy [MA], Kerry [MA], Kohl [WI], Lautenberg [NJ], Leahy [VT], Lieberman [CT], Lincoln [AR], Lott, Trent [MS], McCain, John [AZ], McConnell [KY], Murray [WA], Nelson [NE], Pryor [AR], Roberts [KS], Schumer [NY], Smith [OR], Snowe [ME], Specter [PA], Sununu [NH], Voinovich [OH], Wyden [OR]. H.R. 3142 cosponsors include Abercrombie [HI-1], Baca [CA-43], Becerra [CA-31], Berman [CA-28], Bishop [GA-2], Boehlert [NY-24], Bono [CA-45], Boyd [FL-2], Brown [FL-3], Brown [SC-1], Capps [CA-23], Capuano [MA-8], Diaz-Balart [FL-21], Diaz-Balart [FL-25], Dooley [CA-20], Dreir [CA-26], Farr, Sam [CA-17], Foley [FL-16], Frank [MA-4], Garrett [NJ-5], Grijalva [AZ-7], Harman [CA-36], Harris [FL-13], Herger [CA-2], Hinojosa [TX-15], Honda [CA-15], Hooley [OR-5], Houghton [NY-29], Janklow [SD], Kelly [NY-19], LaHood [IL-18], Leach [IA-2], Lofgren [CA-16], McCarthy [NY-4], McCollum [MN-4], McGovern [MA-3], McHugh [NY-23], McInnis [CO-3], Meek [FL-17], Nunes [CA-21], Nussle [IA-1], Pastor [AZ-4], Pearce [NM-2], Pitts [PA-16], Putnam [FL-12], Quinn [NY-27], Radanovich [CA-19], Reynolds [NY-26], Rodriguez [TX-28], Ros-Lehtinen [FL-18], Roybal-Allard [CA-34], Ryan [WI-1], Sabo [MN-5], Sanchez [CA-39], Sanchez [CA-47], Schiff [CA-29], Serrano [NY-16], Sherwood [PA-10], Shimkus [IL-19], Slaughter [NY-28], Solis [CA-32], Sweeney [NY-20], Thompson [CA-1], Walden [OR-2], Walsh [NY-25], Weller [IL-11], Wexler [FL-19], Wicker [MS-1], Wynn [MD-4].

Sample Letter to Representative

Dear Senator or Representative

I am writing to urge you to become a cosponsor of the Agricultural Job Opportunity, Benefits, and Security Act of 2003 - also known as the AgJOBS bills (S.1645 and H.R. 3142). This comprehensive bipartisan legislation has resulted from years of negotiations among farmers, farm worker advocates, and Members of Congress of both parties over the last several years. The time is now to enact this sensible reform bill.

America's nurseries, greenhouses, farms and ranches need workers to perform the hard work necessary to produce our nation's food, fiber, animals, plants and plant products. However, even during economic down-cycles producers find it difficult to obtain the legal workers they need. Despite efforts to find, train and retain a legal workforce, serious shortages of legal U.S. workers persist. The survival of our industries is at risk.

The H-2A guest worker program is 50 years old and badly broken. While the program ought to serve as a safety net when there isn't enough domestic labor, less than two percent of agricultural workers are H-2A workers. The program has become unaffordable, bureaucratic, and full of lawsuits. AgJOBS reforms will save current H-2A users money, simplify the program, and streamline the litigation problems.

The transition to a workable H-2A program requires that we address problems with the existing work force, much of which is feared to lack proper status. During the short-term, there must be a one-time opportunity for experienced farm workers in the U.S. to come forward, be identified, and have an opportunity to earn the right to legal resident status through future work in agriculture.

While there is no "perfect" solution, the AgJOBS bill is a very good solution that helps secure our borders, solves agriculture's need for a legal work force, treats workers fairly, and can be enacted with strong support from both Republicans and Democrats in order to finally address this festering problem. Courage, leadership and action are needed to resolve the problems American agriculture faces every day.

For all these reasons, I respectfully urge you to cosponsor the AgJOBS bill now and vote for its passage when it comes to the floor. Thank you.

Sincerely,
Your Name

Things Every American Should Know About FAIR

FAIR is Anti-Catholic

“Tanton (FAIR’s founder) is concerned, he admits, that too many new American immigrants are Roman Catholic. Catholics might not respect the separation of church and state, he once wrote in an internal U.S. English memo. Asked about these ideas, the U.S. English chairman says, ‘We need to discuss the consequences of these changes in America.’” (Associated Press, 10/6/98)

Key FAIR Board Member Support Infanticide

Garrett Hardin, FAIR’s Board Member emeritus and a biologist at the University of California, has “argued against reducing the infant mortality in undeveloped nations and came out foursquare in favor of infanticide, which he declared ‘an effective population control.’ Mr. Hardin explained to the reporter who happened to be five months pregnant at the time: ‘In all societies practicing infanticide, the child is killed within minutes after birth, before bonding can occur.’ Just this spring, Mr. Stein (FAIR’s Executive Director) quoted ‘noted immigration scholar and thinker Garret Hardin’ in testimony before the Senate.” (Wall Street Journal Op-Ed by Tucker Carlson, 10/2/97, quoting from a 1992 Omni magazine interview)

FAIR Board Member Believes Starvation in African Nations is Good Population Control

“‘Sending food to Ethiopia does more harm than good,’ he (Garrett Hardin, an active member of FAIR’s Board of Directors) explained in a 1992 Omni magazine. Giving starving African’s enough to eat, Mr. Hardin argued, will only ‘encourage population growth.’” (Wall Street Journal Op-Ed by Tucker Carlson, 10/2/97, quoting from a 1992 Omni magazine interview)

FAIR’s Founder Compared Humans to ‘Bacteria’

“But Tanton, in his characteristically blunt manner, likens the flood of humanity to bacteria. ‘In the bacteriology lab, we have culture plates,’ he said. ‘You put a bug in there and it starts growing and gets bigger and bigger and bigger. And it grows until it finally fills the whole plate. And it crashes and dies. That’s the big picture,’ he said. ‘If you don’t buy that there’s nothing we can talk about.’” (Detroit Free Press, 3/14/97)

FAIR Receives Financial Support From the Racist Pioneer Fund

“FAIR is under fire for accepting annual donations from a foundation in New York City - the Pioneer Fund - which also bankrolls academic research claiming blacks and Latinos are inherently inferior to whites and Asians. In all FAIR has received about \$1 million from the fund. (San Francisco Examiner, 12/12/93)

FAIR-Led Coalition Has Ties to the Klan

FAIR is part of the so-called “FULL Coalition” or Friends United for Lowest Limits. “FULL” describes itself as a “loose coalition of organizations calling for a time-out from immigration.” The group, “Voices of Citizens Together” - which organized the “FULL Coalition” - was cited by the Southern Poverty Law Center for attending Ku Klux Klan rallies. (Southern Poverty Law Center)

FAIR Believes America’s Population Should be Cut by 100 Million People

From a debate on WJR radio in Detroit (2/21/96): “Do you support a U.S. population of 150 million?” asked the debater. “That’s a good long-term target,” responded Dan Stein, FAIR’s Executive Director. “What would happen to the other 100 million of us?” asked the debater. “It’s a long-term target,” he replied.

FAIR’s Board Members are Involved With An Effort to Sterilize Third World Women, Sometimes Without Their Knowledge or Against Their Will

“In the past decade, quinacrine pellets supplied by (Stepehn) Mumford (an active FAIR member) have been responsible for the irreversable chemical sterilization of more than 100,000 Third World women. There are enough pellets in his basement at the moment to sterilize 10,000 more.” (Wall Street Journal, 6/18/98) ☒

COVER: SENATOR CRAIG (R-ID) AND
KENNEDY (D-MA) INTRODUCE
AGJOBS BILL

LATINO GROUPS SUPPORT BILL TO
LEGALIZE THE MIGRANT
WORKFORCE

IMMIGRATION REFORM SUPPORTED
BY LATINO VOTERS

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