

Farmers Press GOP on Hiring
Amid Immigration Crackdown, Growers Seek Allowance for
Undocumented Workers
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Recent Republican solidarity on illegal immigration is showing cracks under pressure from agriculture groups, with two GOP congressmen floating programs that would make it easier for foreigners to work legally in U.S. fields and orchards.

Labor researchers say more than 1.4 million people are employed as field workers in the U.S. each year, and the Labor Department estimates more than half of them are here illegally. Grower groups say that number exceeds 75%, and say measures pending in Congress could deprive Americans of homegrown food.

"We need land, water and labor to produce the food that feeds this country," said Tom Deardorff, a fourth-generation farmer in Southern California, who is on the board of Western Growers, a large trade group. "They've been trying to take away our labor."

Rep. Lamar Smith (R., Texas), an immigration hardliner who now heads the House Judiciary Committee, plans to introduce a bill Wednesday that would revise an existing guest-worker program and allow up to half a million foreign farm workers a year to work in the U.S.

Rep. Dan Lungren (R., Calif.), whose district includes almond, rice and grape growers, also is seeking the creation of a new visa category for agricultural workers. He said it would allow "hundreds of thousands" of foreign farm laborers to work in the U.S. for 10 months at a time, the same time frame allotted by Mr. Smith's proposal.

Stepped-up lobbying by farm groups on the issue amounts to a frank admission about their dependence on a foreign-born work force—whether legal or not. Their argument is that most American workers

have shunned farm jobs because many are of a seasonal, migratory nature as well as being physically arduous.

But concern is also rising for a wider swath of corporate America about the need for a more business-friendly rationalization of immigration policy. Other sectors like fast food, hotels and construction, which also employ low-skilled workers, have been subjected to federal enforcement actions that have resulted in the loss of employees who are in the country illegally.

In general, Republican White House contenders say it's premature to discuss changing immigration law until the border with Mexico is secure. Requests for comment from the major GOP presidential campaigns went unreturned late Tuesday afternoon.

The two agriculture-related proposals in Congress are an attempt to placate farmers who have been descending on Washington since June to fight a separate bill being pushed by Mr. Smith.

Farm groups claim that bill, known as the E-Verify bill, would lead to a severe labor shortage for a sector that relies on undocumented farm hands.

"If we don't have a fix to this proven labor problem in agriculture, I don't think you can get an E-Verify program passed," said Mr. Lungren in an interview, adding that he was "dealing in reality."

Rep. Doc Hastings (R., Wash.), who said he has been hearing from farmers who rely on immigrants in his state and talking to Mr. Smith about their concerns, says "there is now recognition that agriculture workers have to be treated differently" from other sectors.

Since President Barack Obama took office, the agricultural sector has been hit by federal immigration audits of payrolls that have forced some growers to shed hundreds of workers. Growers say Mr. Smith's "Legal Workforce Act" would devastate their industry. It would require all employers to use an electronic database called E-Verify to check whether their employees are eligible to work in the U.S.

Amid high unemployment, mandatory E-Verify had resonated with many in Congress and appeared to have a solid chance of passing the Republican-controlled House. But farmers, who traditionally back the GOP, are pressuring lawmakers to oppose the bill.

Tension over E-Verify has erupted among Republican leaders, according to people involved in discussions.

Frustrated farmers have orchestrated a campaign called "Save America's Food and Economy" to raise awareness about the risks of E-Verify's passage. The group's website cautions that if Congress passes the bill, "we will find our farm industry collapsing and our nation outsourcing our food supply to nations like China and Mexico."

A House Judiciary staff member noted that while all employers would be required to use E-Verify, it would apply only to future employees. The measure would allow seasonal workers to leave the country and not be covered by E-Verify if their employer remains the same and they are allowed to return.

Meanwhile, farmers in several parts of the U.S. are already suffering from worker shortages thanks to a spate of state laws to quash illegal immigration.

Georgia and Alabama recently passed tough laws that prompted many undocumented workers to leave those states, undermining the harvest of tomatoes, blueberries and other crops.

In Michigan, some apple growers are concerned about a smaller influx of migrant workers, who normally come north from those states in time for the harvest beginning in September.

"We keep hearing we should be hiring the unemployed or prisoners," says Julia Rothwell, past chair of the U.S. Apple Association. But such individuals are either not applying for jobs or quit after a short time, she said, even if wages can reach \$15 an hour.

"We are not going to be the ones to magically lower unemployment," said Barry Bedwell, president of the California Grape & Tree Fruit League, which represents growers of grapes, peaches and plums.

Mr. Smith's proposal centers on revising the existing H-2A program to bring farm workers to the U.S, including dairy workers, and would be known as the H-2C. But many agricultural employers deem the H-2A program as being beyond repair. Currently, fewer than 5% of all U.S. farm workers are employed through the program.

Under the H-2A program, employers who anticipate a shortage of domestic farm workers can apply to hire foreigners on a temporary basis. Farmers say they have to apply months in advance, before they can accurately estimate their labor needs for the harvest. They must also advertise for U.S. workers first, which results in people who sign on and don't show up or stay on the job, they say.

About half of H-2A employers are completely dissatisfied or only slightly satisfied with the program, according to a soon-to-be-released survey commissioned by the National Council of Agricultural Employers and conducted by Washington State University. Only about 45,000 farm workers a year come to the U.S. on the program, which involves the Departments of State, Labor and Homeland Security. "Theoretically, the number of visas is unlimited but the actual restraints of the program make it self-limiting," said Frank Gasperini, the council's executive vice president.

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