Bipartisan House Deal Opens Path to Citizenship for Illegal Immigrant Farmworkers

Proposal eases some restrictions on agriculture industry, while requiring farmers to verify workers’ status

Rep. Zoe Lofgren helped introduce the legislation on Wednesday. PHOTO: MANUEL BALCE CENETA/ASSOCIATED PRESS

By Michelle Hackman
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WASHINGTON—A bipartisan group of lawmakers agreed on a deal easing restrictions on foreign agricultural workers, including a path to citizenship for the more than one million farmworkers estimated to be in the U.S. illegally.
However in exchange, the agricultural sector will be required to verify the legal status of their workers.

The legislation announced Wednesday by Reps. Zoe Lofgren (D., Calif) and Dan Newhouse (R., Wash.) has the support of 24 Democrats and 20 Republicans in the House. It marks a rare moment of bipartisan cooperation, particularly on immigration, where Republicans have generally not supported a citizenship path for any undocumented immigrants, and Democrats are increasingly loath to support new enforcement measures.

“Farmworkers across the country are living and working with uncertainty and fear, contributing to the destabilization of farms across the nation,” said Ms. Lofgren, chairwoman of the House Judiciary subcommittee on immigration.

The bill could reach the House floor as soon as late November, a House Democratic aide said. But its fate is less certain in the Senate.

Senate Majority Leader Mitch McConnell (R., Ky.) didn’t respond to a request for comment.

President Trump’s position on such a deal is unclear. Several members of his administration, including Agriculture Secretary Sonny Perdue, have been outspoken in their support for the seasonal agricultural guest-worker program, which doesn’t cap the number of workers. However, farmers have said it contains too many bureaucratic hurdles to be the most attractive option.

“We’re seeing less and less interest, obviously, from a domestic workforce to work in agriculture,” Mr. Perdue said in an interview. “I think there’s...in our society today maybe a stigma for agricultural work.”

The White House didn't respond to a request for comment.

The administration has issued regulations loosening restrictions on foreign agricultural workers. Farmers participating in the seasonal guest-worker program are no longer required to take out classified ads in newspapers seeking workers. Instead, they are only required to post job notices online, which is cheaper. The administration also allows farmers to pay most foreign workers less than the minimum required for domestic employees.

The bipartisan deal would codify those changes and extend the seasonal program year-round. Currently, farmworkers are allowed to remain for up to six months at a time, in line with different seasonal farm needs. But the dairy industry has long pushed to expand the guest-worker program to a full year.
The accord also would provide a path to citizenship for the more than one million farmworkers estimated to be already living in the U.S. illegally. Farmworkers who can show they have spent at least three months in the previous two years working in agriculture can apply for a new five-year visa, which would require continued work in the sector for the visa's duration.

Workers who have lived in the country for at least 10 years could apply for a green card if they work four more years in the industry. If a farmworker has been in the industry for less than 10 years, they must put in an additional eight years to become eligible for a green card. Green-card holders are eligible to become U.S. citizens, typically after five years.

In exchange, the agriculture industry would be required to use E-Verify, an electronic system that allows employers to check applicants' immigration status. The industry has strongly resisted such a requirement, as about half of farmworkers aren't legally authorized to work in the U.S., according to the National Agricultural Workers Survey, which is run by a Labor Department agency.

“This bill will address that pervasive fear faced every day by that undocumented population who perform one of the toughest jobs in America,” said Leydy Rangel, spokeswoman for the UFW Foundation, a nonprofit providing immigration services to rural communities.

Another Democratic House aide said the committee took on the farmworker legislation because, unlike in most other areas of employment, most people agree it is relatively tough to fill farmworker jobs with Americans, which are relatively low-paying, physically strenuous and seasonal.

The bill’s inclusion of a path to citizenship angered groups who advocate for restricting immigration to the U.S.

“The bill would solidify an entire industry’s reliance on cheap foreign labor,” said RJ Hauman, head of government relations for the Federation for American immigration Reform. He added that its requirement that immigrants continue working in agriculture before qualifying for green cards “essentially [forces] illegal aliens into indentured servitude.”

Immigrant advocates say the industry’s reliance on unauthorized labor leads to abuses. They add unauthorized immigrants have no recourse, for example, if their employers don’t pay them.

https://www.wsj.com/articles/bipartisan-house-deal-opens-path-to-citizenship-for-illegal-immigrant-farm-workers-11572473081?mod=searchresults&pa...
Corrections & Amplifications
The UFW Foundation is a nonprofit providing immigration services to rural communities. An earlier version of this article incorrectly stated it provided immigration services for the United Farm Workers union. (Oct. 30, 2019)

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