



*"We are tired of words, of betrayals, of indifference...the years are gone when the farm worker said nothing and did nothing to help himself...Now we have new faith. Through our strong will, our movement is changing these conditions...We shall be heard."*  
Cesar Chavez

COMMUNITY TO COMMUNITY DEVELOPMENT STANDS WITH FAMILIAS UNIDAS POR LA JUSTICIA IN **OPPOSING HR5038**, THE FARM WORKFORCE MODERNIZATION ACT (FWMA)

At Community to Community Development (C2C) our vision as farmworker leaders is a just transition toward a food system that respects the environment and rural communities, centering farmworkers and our right to dignity and equity.

**EXPANSION OF H2A IS BAD FOR WORKERS AND BAD FOR RURAL COMMUNITIES**

We are deeply opposed to the H2A guestworker visa program, which commodifies workers in a globalized, for-profit system that favors corporate control. The FWMA allows for major, permanent expansion of the H-2A program, which would continue a trend that has been displacing domestic farmworkers for the last twenty years. The language in this bill limits workers' status to employer sponsorship, facilitating an environment of exploitation, retaliation, wage theft, and blacklisting. There is no provision for the right to strike, the right to join a union, or the right to bargain collectively as a counterbalance to employers' control over workers.

This bill expands the eligibility requirements for H2A visa applications to year-round work on farms beyond field work, including processing plant work, general labor building on site, and any other trade that is working on a farm, which sets a dangerous precedent. There is no component in the single filing system to verify licensure or safety standards required of these additional trades. This creates an opening for corporations to import workers in other industries using the guestworker visa mechanism.

**PATH TO CITIZENSHIP IS LIMITED, COMPLEX, AND AVAILABLE TO A FRACTION OF UNDOCUMENTED FARMWORKERS**

This bill is not a step towards comprehensive immigration reform, but a divisive and dangerous path linking citizenship to the H2A program. The talking points and summary by proponents of this bill create an illusion of easy legalization, when, in reality, they are offering a false solution to a desperate, beleaguered undocumented community under attack by the current administration. This highly detailed and convoluted 223-page piece of legislation outlines a complicated, costly process to legalization that only applies to a fraction of undocumented farmworkers who currently live and work here.



Family reunification is not addressed. We will not support legislation that puts millions of workers at risk for deportation and divides our communities by sectors. We will not support a process that leaves the majority of immigrant families behind.

### **THE PROVISION THAT MANDATES ALL AGRICULTURAL COMPANIES USE THE E-VERIFY SYSTEM IS REGRESSIVE**

For most employers, E-Verify is voluntary; most of the nation's 18 million employers do not participate in the E-Verify program, including agricultural employers. We are concerned that E-Verify will be used by corporate industrial agricultural employers to control local labor forces and track workers and their families. This mandate invites the Department of Homeland Security into local agricultural employers' payrolls, which we believe will trigger panic in rural agricultural immigrant communities that do not have access to advocacy and legal support. We are further concerned about how this bill will impact small family farms in rural Washington State, where E-Verify is currently optional.

### **INJURED FARMWORKERS LEFT OUT OF ANY BENEFIT OR RIGHTS**

Even though agriculture is one of the most dangerous industries for workers, this bill does nothing to address the hundreds of thousands of undocumented, injured farmworkers that will not qualify to be included in the process for status due to their injuries suffered in the fields. Additionally, if a worker is injured and unable to work the full 100 days per year required to gain citizenship, they will be disqualified and deported. There is no provision in the bill for medical care.

While the bill contains language regarding workplace safety and prevention of sexual harassment, there is no mechanism or funding in place for tracking and enforcement.

### **IN CONCLUSION**

This bill was written in a small vacuum, without enough input from farmworkers and their families across the country. In Washington State, we were not consulted. Worse, our local independent farmworker union, Familias Unidas por la Justicia (FUJ), and its leadership were not at the table. FUJ is a small, agile, and powerful union which has proven that in a community where there is support for farmworkers and just food systems, farmworkers can win for themselves, consumers, and family farmers. Local economies need an equitable workforce, not a controllable quasi slave labor workforce.

This bill is clearly designed to benefit large growers and corporate agricultural interests, such as farm labor contractors. Any just immigration reform would determine eligibility for status based on human and labor rights, not the profitability of immigrant labor for corporations.

We believe that this bill will create additional barriers to domestic farmworkers' ability to create economic well-being and social equity for themselves and their families in rural America. **We urge you to contact your legislators and ask them to oppose this bill.**