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**Statement on Behalf of
American Farm Bureau Federation
AmericanHort
Florida Fresh Fruit & Vegetable Association
National Council of Farmer Cooperatives
National Farmers Union
United Fresh Produce Association
USA Farmers
U.S. Apple Association
Western Growers**

**Submitted to the
Senate Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug
Administration, and Related Agencies
United States Senate**

Regarding the

**U.S. Department of Agriculture Rural Development Housing and Community Facilities
Programs Office**

March 17, 2016

Chairman Moran, Ranking Member Merkley, and members of the Subcommittee, thank you for your continued leadership and support for U.S. agriculture. The above signed steering committee members of the Agriculture Workforce Coalition appreciate this opportunity to submit our views regarding the FY 2017 Agriculture, Rural Development, Food and Drug Administration and Related Agencies appropriations bill, and respectfully requests this statement be made part of the official hearing record.

The labor situation in agriculture has been a concern for many years, but is moving towards a breaking point. Today, large segments of American agriculture face a critical lack of workers, a shortage that makes our farms and ranches less competitive with food from abroad and that threatens the abundant, safe and affordable domestic food supply American consumers enjoy today.

Repeated evidence over the past decades has shown that there are some jobs in agriculture that Americans simply do not want to do. Although many of these jobs offer wages competitive with similar, non-agricultural occupations, they are physically demanding, conducted outdoors in all seasons and weather, and are often seasonal or transitory. It is for this reason that farmers have grown to rely on foreign workers to perform this work.

The overarching challenge to workforce stability in agriculture is the widely acknowledged lack of authorized work status by a large number of agricultural workers despite the prevalence of documentation presented by workers to the contrary. The only option for farmers and ranchers to legally find the workers they need is the H-2A temporary work visa program, a program that has not worked for many agricultural employers.

The H-2A program's basic framework is overly restrictive and difficult to maneuver. In recent years the program has become even more bureaucratic, burdensome and costly to use. But, each year, more and more farms have to turn to the H-2A program for legal foreign labor to meet their workforce needs.

The demand on the program is increasing as producers have nowhere else to turn; yet the administrative weight of the program cannot keep up. H-2A employment has doubled in the past four years and will double again in the next two years or less. This means bureaucratic red tape and delays in the program result in workers showing up at the farm well after the date they were needed to be there, and millions of dollars in agricultural production is lost in the interim.

To improve access to the H-2A program, specifically the housing requirements, we seek the following:

Farm Labor Housing Program

The U.S. Department of Agriculture's (USDA) Farm Labor Housing (FLH) program provides loans and grants for the development of on-farm and off-farm housing. The program is operated by USDA's Rural Development Housing and Community Facilities Program office.

Specifically, Section 514 loans are provided to buy, build, improve, or repair housing for farm laborers. The range of eligible tenants was expanded in the 2008 farm bill but legally admitted temporary laborers, such as H-2A workers, remain ineligible.

Amending the list of eligible tenants who can use Section 514 housing to include H-2A workers will incentivize use of the program as a means of accessing a legal workforce. We recommend the following language be included in the FY2017 appropriations bill:

42 U.S.C 1484(f)(3)(A) is amended to read: (A) such person shall be a citizen of the United States, a person legally admitted for permanent residence or a person legally admitted and authorized to work in agriculture;

Housing Allowance

Currently, the H-2A Program does not allow for the use of housing allowances. Working through USDA's Rural Development Housing and Community Facilities Program office, we recommend the use of housing allowances be allowed under the H-2A program unless the

Secretary of Agriculture determines insufficient community based housing exists. The housing allowance could be based on HUD fair market rental rates for a two bedroom dwelling occupied by four individuals.

This change would provide greater flexibility to workers within the H-2A program and removes one of the more significant program barriers. Specifically, we seek the following language as part of the FY2017 appropriations bill:

8 USC 1188(c)(4) is amended as follows: Provided further that an employer may provide a housing allowance unless the Secretary of USDA determines insufficient community based housing exists.

Conclusion

We remain steadfast in our pursuit of broader immigration reform that meets both the short- and long-term workforce requirements of all of agriculture—both those producers with seasonal labor needs, and those with year-round needs. Yet we recognize such reforms may not come to fruition in the near term.

Left with no other alternative, we seek your support for the inclusion of these modest adjustments as you prepare FY2017 appropriations legislation.

Thank you again, and members of the Subcommittee, for the opportunity to share our views. We look forward to working with the committee to ensure continued benefits for rural communities, consumers, American agriculture and our nation as a whole.