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

**Submitted to the
House Appropriations Subcommittee on State, Foreign Operations, and Related Program
United States Senate**

**Regarding the
Department of State, H-2A Program**

March 22, 2016

Chairwoman Granger, Ranking Member Lowey, 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 State, Foreign Operations, and Related Programs 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 2 years or less. Even at current levels, capacity and infrastructure issues at the Departments of State, Homeland Security and Labor are leading to greater processing delays than ever before. 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 increase efficiency at the border we seek expansion of the Pilot Program created between the Consulate General of the United States, Monterrey Mexico and the Washington Farm Labor Association, which allows a waiver from the interview process on reentry for returning workers who have abided by their visa terms, passed a mandatory background check, and where the employer has verified the past employment. Expanding this program will free-up significant government resources that could be better utilized processing the ever-increasing number of new H-2A workers, rather than interviewing again the scores of workers who consistently abide by the H-2A program requirements year after year and have repeatedly demonstrated their non-immigrant intent.

Specifically, we seek the following language for inclusion in the FY2017 State, Foreign Operations, and Related Programs appropriations bill:

The Secretary shall implement a pilot program at all consulates to allow interview waivers for returning H-2A workers if the returning worker passes the mandatory background check and employer provides past employment verification.

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.