



To: All DBA Members

From: Laurie Fischer – Executive Director

Re: Immigration Legislation Introduced

Below you will find a brief summary of S. 340 the “Ag Jobs” Bill which was introduced in the US Senate.

Senator Feinstein, Democrat of California and Senator Larry Craig, Republican of Idaho introduced legislation to address the growing shortage of workers in the agricultural sector. As you may remember, immigration reform was debated by Congress last year. However, the House and Senate differed on provisions that would have allowed millions of illegal immigrants to earn citizenship over an extended period and ultimately a final agreement was never reached. It is important to note that guest worker provisions had broader support than the legalization plan.

Among many things the Ag Jobs bill will provide for more than 1.5 million agricultural workers to come into the country over the next five years. It also creates a pilot program to legalize illegal immigrants who have been working in agriculture during the past two years.

Here is the legislative summary of the Ag Jobs bill:

- Undocumented agriculture workers would be eligible for a “blue card” if they can demonstrate having worked in American agriculture for at least 150 work days over the previous two years.
- The blue card would entitle the worker to a temporary legal resident status. The total number of blue cards would be capped at 1.5 million over a five-year period, and the program would expire after five years.
- Blue card holders would be allowed to travel in and out of the United States.
- The spouses and minor children of blue card workers would be eligible to apply for a blue card if they already live in the United States. This would permit them to work and travel.
- Blue card holders would be allowed to work in other, non-agriculture jobs as long as the agriculture work requirements are met.

- The blue card holder would be required to work in American agriculture for an additional three years (working at least 150 work days per year) or five years (working at least 100 work days per year), before becoming eligible to apply for a green card to become a permanent legal resident.
- Before applying for a green card, participants would be required to pay a fine of \$500, show that they are current on their taxes, and show that they have not been convicted of any crime that involves bodily injury, the threat of serious bodily injury, or harm to property in excess of \$500.
- Finally, the H2-A Program would be modified so that it realistically responds to agriculture needs. Like the version passed by the Senate last year, the measure would revamp the H-2A visa program that farmers use to hire seasonal foreign workers. Growers say the system is so slow that workers often don't arrive for work until the harvesting season is nearly over – this bill would help align the H2-A program in a way that addresses concerns in the agricultural sector.