



# FARMWORKER JUSTICE BULLETIN

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**Legislative Update**

**March 29, 2006**

## **The Status of AgJOBS: Agricultural Job Opportunities, Benefits and Security Act of 2006**

The Agricultural Job Opportunities, Benefits and Security Act of 2006 ("AgJOBS") represents a major compromise on farmworker immigration and labor policy between farmworker advocates (led by the United Farm Workers of America) and agricultural employers to address the immigration crisis in agriculture. AgJOBS contains two main components: (1) an earned legalization program for hundreds of thousands of undocumented farmworkers to gain legal immigration status; and (2) modification of the H-2A temporary foreign agricultural worker program.

Senators Larry Craig (R-Idaho) and Edward Kennedy (D-Mass.) introduced AgJOBS, S. 359, in February 2005. Representatives Chris Cannon (R-Utah) and Howard Berman (D-Cal.) introduced the companion bill, H.R. 884, in the House of Representatives.

On March 27, 2006, Sen. Feinstein, who had opposed AgJOBS, announced that she had reached an agreement with the primary sponsors of AgJOBS, as well as with the UFW and agricultural employers. The agreement revised some AgJOBS provisions, but kept the basic components.

On the same day, Sen. Feinstein offered the modified version of AgJOBS as an amendment to a comprehensive immigration bill being debated in the Senate Judiciary Committee. The AgJOBS amendment passed by a vote of 11 to 5 with the support of all the committee Democrats and Republicans DeWine, Brownback, and Specter. Senators Hatch and Graham abstained. The Judiciary Committee subsequently approved the full immigration bill with 12 Senators (all of the Democrats and Senators Specter, Brownback, DeWine and Graham) supporting it. Action on immigration now proceeds to the Senate floor, where Sen. Specter will offer the Judiciary Committee bill as a substitute amendment to Sen. Frist's border enforcement bill.

A previous vote on AgJOBS this Congress demonstrated broad support for AgJOBS. On April 19, 2005, the Senate considered both AgJOBS and the Chambliss-Kyl alternative, a harsh guestworker program that offered no opportunity for earned legalization. By a vote of 53 to 45 (55, including two absent Senators), a majority of the Senate supported AgJOBS by voting for cloture to end a threatened filibuster. While 60 votes would have been needed to move forward to a vote on AgJOBS, the majority support represented a significant victory. By contrast, the Chambliss-Kyl alternative to AgJOBS received only 21 votes in support of cloture and 77 votes against.

**The Judiciary Committee's inclusion of AgJOBS in its immigration bill is an important victory for farmworkers, making it much more likely that AgJOBS will become law.** Still, there are challenges ahead in winning passage in the Senate and then by the full Congress. Sen. Chambliss (R.-Ga.) and Sen. Isakson (R.-Ga.), who oppose any earned legalization program, have both introduced proposals to slash wages under the H-2A guestworker program and eliminate other labor protections. The defeat of similar proposals by Chambliss in the House and others in the Senate in the 1990's led to the labor-management negotiations which resulted in AgJOBS. AgJOBS is a balanced, bipartisan solution for America that should be enacted now.