

AgJOBS Amnesty (S. 359):

Rewarding Lawbreakers at Americans' Expense

Amnesty by Any Other Name

- *Black's Law Dictionary* defines amnesty as “a sovereign act of forgiveness for past acts, granted by a government to all persons (or a certain class of persons) who have been guilty of a crime or delict.” The statutory penalty for illegal immigration is deportation. Any government plan that permits illegal aliens to avoid deportation is, thus, an amnesty, regardless of whether its supporters call it “earned legalization,” “regularization,” “rehabilitation,” or “Fred.”
- Requiring an illegal alien to continue working the job he broke U.S. law to steal is not a penalty and will not rehabilitate anything except hope in millions of people around the world who will see that illegal immigration pays.

Amnesty on the Installment Plan

- AgJOBS grants amnesty to an unlimited number of illegal aliens who say they have worked recently in U.S. agriculture, plus their spouses and children, for an estimated total of up to three million.
- Since virtually all of the “special agricultural workers” granted the “one-time-only” amnesty enacted in 1986 left agricultural work as soon as they got a green card, AgJOBS puts illegal aliens on the path to U.S. citizenship in a two-step process.
 - First, illegal aliens are to be granted temporary residence and indentured for up to six years to ensure that they continue to work in agriculture in the short term.
 - Once these newly legalized aliens have provided the requisite cheap labor, they will be granted lawful permanent residence, the final stop on the path to U.S. citizenship.

On the Backs of Americans and Legal Immigrants

- AgJOBS will not, of course, ensure a stable, legal agricultural workforce because it does nothing to make agricultural jobs more attractive or to reduce the future flow of illegal aliens. It will, however, ensure an impoverished workforce.
 - AgJOBS permits employers to set the wages for the indentured, formerly illegal workers at any level they wish, down to the minimum wage. Since the aliens have to perform agricultural work in order to become permanent residents, they will have no choice but to work at whatever wages and working conditions employers choose to offer.
 - AgJOBS also freezes wage levels for new, legal H-2A nonimmigrant agricultural workers at the January 1, 2003 level for three years following enactment. Industry-wide wages can be expected to plummet from unlivable to deplorable.