

NumbersUSA

AgJOBS: Legalizing Indentured Servitude

What Kind of America Will You Choose?

Indentured Servant

An indentured servant is an unfree laborer under contract to work for a specified amount of time for another person – often for low or no wages – in exchange for accommodation, food, other essentials and/or free passage in a new country.

Indentured Servitude Banned with Slavery

Indentured servitude was abolished along with slavery when the 13th Amendment to the U.S. Constitution was ratified in 1865.

AgJOBS indentures illegal alien agricultural workers

- Section 101(a) of AgJOBS grants amnesty in the form of “temporary residence” (via a “blue card”) to illegal aliens who worked in agriculture between December 31, 2004, and December 31, 2006.
- Section 103(a) permits these formerly illegal “temporary residents” to apply for adjustment to lawful permanent residence only if they perform at least:
 - 2,587 hours of agricultural work during the first three years after enactment;
 - 2,875 hours of agricultural work during the first five years after enactment; or
 - during the first four years after enactment, 862.5 hours of agricultural work per year for three of those years and 575 hours of work for the other.
- Section 103(c) says that, if temporary residents do not perform the requisite work and apply for permanent status within seven years of enactment, they are deportable.
- AgJOBS permits employers of formerly illegal temporary residents to pay these workers as little as minimum wage. It also freezes the “adverse effect wage rate” for H-2A workers at its January 1, 2003, level for three years, after which the wage rate may be increased by no more than the percentage change in the Consumer Price Index from two years prior.

Required Labor + Specified Duration of Labor +
Substandard Wages + Free Passage in a New Country =

Indentured Servitude