

H.R. 4916, the Farm Workforce Modernization Act: Rewarding Special Interests and Harming Everyone Else

There was a time when “public policy” was actually about the “public.” Legislators would debate what policy best served the interests of the most Americans. That time, apparently, is over. H.R. 4916 is a textbook example of the influence that special interests have in legislation today. While there are winners and losers in most legislation, the goal should be to have more winners than losers. The losers vastly outnumber the winners in H.R. 4916.

The Winners:

Agricultural employers who currently violate the law by employing illegal aliens. The bill would give the illegal aliens legal permission to work, but it would indenture many of them by requiring them to continue working in agriculture for eight years. It also protects the employers from any penalties or accountability for hiring illegal aliens in the first place.

Illegal aliens working in agriculture (or who can fraudulently convince DHS that they worked in agriculture). These illegal aliens, and their spouses and minor children, get amnesty. Some of them will be able to leave agriculture after four years and compete with American and legal immigrant workers for full-time jobs in other industries. Others will have to keep working in agriculture for 8 years before they can compete for full-time jobs in other industries. Both groups will be able to seek part-time or seasonal work in non-agricultural industries from the day they get their employment authorization.

The Losers:

American and legal immigrant workers currently employed in the dairy, meat packing, food processing, and canning industries. They will be displaced by foreign H-2A workers once H.R. 4916 expands the H-2A program to non-seasonal, year-round occupations that have some relation to agricultural products.

American and legal immigrant workers in every other lower-wage industry in the United States, including the construction, service, hotel and restaurant industries. They will be competing for jobs with and seeing their wages suppressed by the newly amnestied aliens given work authorization by H.R. 4916.

American and legal immigrant workers in every non-agricultural industry in the United States because H.R. 4916 mandates the use of E-Verify to insure a legal workforce ONLY in agriculture. That means newly arriving illegal aliens—and H.R. 4916 does nothing to reduce the illegal flow—will compete with Americans and legal workers for non-agricultural jobs where E-Verify use is not mandatory.

American and legal immigrant workers with a high school education or less. H.R. 4916 creates 40,000 new green cards each year (on top of the amnesties of agricultural workers) specifically to import more permanent, lower-skilled foreign workers to take American jobs.

American taxpayers. They will have to foot the bill for free public education, health care, welfare, and all the other costs of importing or amnestying large numbers of foreign workers with less than a high school education, all of whom are allowed to bring their spouses and minor children—and eventually their extended relatives through chain migration. H.R. 4916 includes a provision that purports to disqualify amnestied agricultural workers from receiving means-tested federal welfare benefits. We assume that it is a drafting error that, in fact, makes them all eligible for all means-tested welfare benefits. Whether the sponsors fix that provision or not, every illegal alien who gets a green card and every low-skilled foreign worker who is imported on a permanent basis becomes eligible for every welfare program after five years of lawful permanent residence. American taxpayers can expect a hefty tab if this bill passes.