

June 17, 2013

Dear Representative:

We write you to express our deep disappointment that the House Judiciary Committee continues to pursue proposals that will do little or nothing to solve the nation's broken immigration system. We are dismayed that the committee is moving three of the most harmful and counter-productive bills ever introduced on immigration. Rather than offer a solution that will provide a balanced, commonsense solution to our broken immigration system, these bills advance an approach focused on increasing deportations, imposing an unworkable electronic employment verification system, and creating hundreds of thousands of new guestworkers.

Chairman Goodlatte's agricultural guestworker bill that is being advanced, the "Agricultural Guestworker Act," H.R. 1773, is the worst guestworker program authored in decades and includes fewer protections than the notoriously abusive Bracero program. It would allow employers to bring as many as 500,000 new agricultural workers every year. The guestworker program offers almost no protections for US workers against competition from foreign workers and would result in job loss for hundreds of thousands of U.S. citizens and lawful permanent residents. The bill strips away decades of worker protections and leaves vulnerable guestworkers with virtually no protection from abusive conditions. A key failure of the bill is its omission of a solution for the majority undocumented agricultural workforce. Instead, undocumented farmworkers would be told only that they could apply for a temporary work permit but would then be required to leave the country after their job ends, with no opportunity to become a member of the society they help to feed. This legislation stands in stark contrast to the carefully-negotiated, balanced agricultural immigration compromise reached by a bipartisan group of Senators, the United Farm Workers, and the Agriculture Workforce Coalition. The hard-fought compromise is good for farmworkers, employers and our national interest in a secure, safe food supply and should be respected.

By single-mindedly focusing on immigration enforcement, Representative Gowdy's Strengthen and Fortify Enforcement Act (SAFE) Act, H.R. 2278, will create an environment of rampant racial profiling and unconstitutional detentions. The SAFE Act makes changes that would expand the failed 287(g) program, a program with well-documented abuses by state and local officers deputized to enforce federal immigration law. By granting states and localities full authority to create, implement, and enforce their own criminal and civil penalties for federal immigration violations, the Act would radically vest enforcement decisions in the hands of state and local police officers without federal oversight. Allowing all 50 states and countless localities to enact their own immigration enforcement laws is unworkable and will drive a wedge between communities and the police. Local police could act like immigration agents even though they are neither qualified nor trained in understanding our nation's complicated immigration laws. This will decrease public safety by making survivors and witnesses of crimes less willing to cooperate with law enforcement out of fear that they will be deported. The SAFE Act would lead to racial profiling and discrimination because everyone who "looks undocumented" would be subject to law enforcement stops, arrests, and detention.

The Legal Workforce Act (LWA), H.R. 1772, would mandate the use of an electronic employment verification system, patterned on the existing E-Verify program, by every employer in the U.S. within two years. The LWA suffers from the same fundamental flaws as the Agricultural Guestworker and the SAFE Acts: its piecemeal, enforcement-only approach fails to reform our broken immigration system in a way that meets our social and economic needs and lives up to our values. Moreover, the LWA fails to address the problems in the current E-Verify program, the difficulties that would inevitably accompany a massive increase in the use of the system, and the adverse impacts on U.S. businesses and citizen and work-authorized immigrant workers that would result. U.S. Citizenship and Immigration Services reports that only 7 percent of U.S. employers currently use E-Verify, yet the LWA mandates an unrealistic and rushed implementation timeline that would require the remaining 93 percent of employers to use the system within 2 years. Over 5.5 million employers would thus have to begin using the system within 2 years—which equates to approximately 250,000 employers enrolling in the program every month. Moreover, the bill contains no process for workers to contest erroneous findings by E-Verify that they are ineligible to work. Given the current error rates for E-Verify, this bill would put hundreds of thousands of U.S. citizen and work-authorized immigrant workers at risk of losing their jobs.

We strongly oppose these bills and this unrealistic and unworkable approach to our nation's immigration problems. Instead of following a punitive approach to immigration, we support creating a realistic road to citizenship for the 11 million undocumented immigrants in this country who are members of our families and communities.

Sincerely,

Farmworker Justice
National Immigration Law Center
United Farm Workers

AFL-CIO
Alianza Nacional de Campesinas
Alliance for a Just Society
American Immigration Lawyers Association
Americans for Immigrant Justice
America's Voice
Anakbayan-USA
Arab American Institute
Asian & Pacific Islander American Health Forum
Asian American Justice Center
Asian Pacific American Labor Alliance (APALA)
Association of Farmworker Opportunity Programs

Border Action Network
Border Network for Human Rights
Campaign for Community Change
Center for Gender & Refugee Studies
Center for Law and Social Policy
Center for Popular Democracy
Communications Workers of America (CWA)
Detention Watch Network
DREAM Action Coalition
El Comité de Apoyo a los Trabajadores Agrícolas
Families for Freedom
Gamaliel
Hispanic Federation
Immigration Equality Action Fund
Interfaith Worker Justice
Jobs with Justice/American Rights at Work
Laborers' International Union of North America (LiUNA)
Leadership Conference on Civil and Human Rights
Legal Aid Society - Employment Law Center
Lutheran Immigration and Refugee Service
Mujeres Unidas y Activas
National Council of Jewish Women
National Council of La Raza
National Day Laborer Organizing Network
National Domestic Workers Alliance
National Education Association
National Employment Law Project
National Guestworker Alliance
National Immigrant Justice Center
National Immigration Project of the NLG
National Korean American Service & Education Consortium
National Legal Aid and Defender Association
New Sanctuary Coalition
One Horizon Institute
OneAmerica
Pesticide Action Network
Service Employees International Union (SEIU)
South Asian Americans Leading Together (SAALT)
Southern Poverty Law Center
Stop the Checkpoints
Unitarian Universalist Association
United Food and Commercial Workers International Union (UFCW)

United We Dream
Women's Refugee Commission

Advocates for Basic Legal Equality
Alliance San Diego
Asian American & Pacific Islander Christians for Social Justice
Asian Chamber of Commerce of Arizona
Asian Law Alliance
Asian Pacific American Labor Alliance, Los Angeles Chapter
Asian Pacific American Legal Center
Boston University Civil Litigation Program
California Rural Legal Assistance Foundation
Capital Area Immigrants' Rights Coalition
Casa Latina
CASA of Oregon
Central Florida Jobs with Justice
Centro de los Derechos del Migrante, Inc. (CDM)
Cleveland Jobs with Justice
Coalition for Asian American Children & Families
Coalition for Humane Immigrant Rights of Los Angeles
Connecticut Asian Pacific American Affairs Commission
Democratic Women of Kern
Dolores Huerta Foundation
East Coast Migrant Head Start Project
El CENTRO de Igualdad y Derechos
Equal Justice Center
Farmworker and Landscaper Advocacy Project
Farmworker Association of Florida
Filipino Migrant Center
Georgia Latino Alliance for Human Rights
Greater Rochester Coalition for Immigration Justice
Human Rights Initiative
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Law Center of Minnesota
Indiana Americans for Democratic Action
Jesuit Social Research Institute, Loyola University New Orleans
Kern County American G.I. Forum
Kids for College
Latino Coalition for a Healthy California
Latino Education & Training Institute
Law Office of Liya Djamilova
Law Office of Roy, Nielson, Barini-Garcia & Platts

Líderes Campesinas de California
Long Island Immigrant Alliance
Lutheran Social Services of New England
Massachusetts Immigrant and Refugee Advocacy Coalition
Massachusetts Law Reform Institute
Migrant Support Services of Wayne County
National Asian Pacific American Women's Forum, Arizona Chapter
New Mexico Center on Law and Poverty
No More Deaths
North Central Indiana AFL-CIO
Northern Manhattan Coalition for Immigrant Rights
Northwest Forest Worker Center
OCA Greater Phoenix Chapter
Oak Orchard Community Health Center
Oregon Human Development Corporation
People of Faith United for Economic Justice, Inland Valleys
Pineros y Campesinos Unidos del Noroeste (Northwest Treeplanters and Farmworkers United)
Political Asylum Immigration Representation Project
Providence Youth Student Movement
Racial Justice Action Center
Refugio del Rio Grande
Somos America/We Are America Coalition
South Asian Network
St. Brendan Catholic Church
Telamon Corporation
Tennessee Immigrant & Refugee Rights Coalition
TODEC Legal Center
Vermont Immigration and Asylum Advocates
Vermont Workers Center
Visión y Compromiso
Washington Community Action Network
Washington Defender Association's Immigration Project
Washington State Coalition Against Domestic Violence
Wayne Action for Racial Equality
Worker Justice Center of New York