

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