

United States House of Representatives

Committee on The Judiciary

Subcommittee on Immigration, and Border Security

Agricultural Guestworkers: Meeting the Growing Needs of

American Agriculture

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Thank you, Chairman Labrador, and all members of the subcommittee for the opportunity to share my thoughts and experiences with respect to the H2A guest worker program and the need for an expanded Agriculture workforce.

First, a bit about me and my farm. My name is Sarah Frey. I am the CEO of Frey Farms, headquartered in Wayne County IL. We specialize in multi-state growing, packing, and shipping fresh market produce. I also oversee the diverse operations of the Frey Family of Companies. We are best known as the nation's largest fresh pumpkin producer but fresh watermelons account for a larger part of our business. Our farms and facilities are in Florida, Georgia, Missouri, Arkansas, Indiana, West Virginia, and Illinois.

Frey Farms has actively engaged with policymakers on a variety of issues that impact the specialty crop sector, including the Farm Bill, but we are especially thankful for the opportunity to share our perspective on the broken H2A program we have relied on for 15 years.

Americans demand locally sourced fruits and vegetables when in season. Expanding our farming operations and bringing quality local fresh fruits and vegetables to national retail markets would not have been possible without reliable workers. Albeit expensive and cumbersome to use, the H2A Guest Worker program has been the only practical solution for our company. Our farms continue to face hiring challenges. As more Americans move to suburban and urban centers, we struggle to fill the number of seasonal jobs as our rural population diminishes. This issue is not unique to Frey Farms. Like most farms, ours are in rural communities, far away from the larger labor pools needed to fill the jobs that are necessary for harvesting specialty crops. To maintain a steady supply of fresh fruits and vegetables, production moves across the country rapidly with

the changing of the seasons. Many of the specialty crops grown in the United States have harvest windows as short as a few weeks due to the geographic location and regional climates associated with the farmland. Relocating a family every few weeks is logistically unfeasible. Therefore, a lack of access to domestic labor, combined with an overburdened federal guest-worker program means fruit and vegetable providers are in a daily struggle to secure an adequate workforce.



Source: <https://travel.state.gov/content/dam/visas/Statistics/Graphs/H%20VisasWorldwide.pdf>

The reality is this: Much of the nation's foreign-born farm workers do not have proper work authorization and the emphasis on enforcement without an accompanying *effective legal* ag guest-worker program, puts our industry, and our Nation's ability to sustainably and affordably feed our people, in jeopardy.

I want to be clear: we support strengthening our nation's ability to uphold the law.

We want our employees to be legally authorized to work in this country. That is why Frey Farms, and the produce industry, have long advocated for reforms to our nation's immigration system to deal with this issue.

We believe those who are working in agriculture without proper documentation should be able to make their presence known and join the H-2A program. When their seasonal harvest work is finished, these workers would return to their home country as the current H-2A program requires and transportation would be provided for by their American employer. Moreover, the legality of these immigrant employees would no longer be in question and the regulations for proper execution of the law would be in place. These workers would be allowed to return under the lawful rules of the H-2A program and the American farmer could operate without the stress and anxiety of wondering where their next group of employees will come from.

At a time when nearly 36 % of Americans are obese and more than two-thirds are overweight, we should be making access to fresh fruit and vegetables easier and more affordable to encourage consumption. With the current H2A program we are doing the opposite. We are making it difficult for those in the produce industry to provide abundant and affordable fresh produce. Instead labor shortages mean fresh food goes to waste, which is not a problem that solely affects our industry, but impacts every American.

Farmers are inherently trying to provide healthy, sustainable, and competitively priced fresh fruits and vegetables, while working against the factor of time and the perishable nature of these very items. However slow, inefficient, and riddled with bureaucratic inefficiencies the H-2A program is the only hiring solution that we have. The foundation is in place to help agriculture bridge the gap between its current supply and the vastly disparate demand for labor.

We urge you to do what it takes to ensure that whatever immigration legislation Congress debates does not become final without a mechanism for addressing agriculture's real and urgent labor needs. Failure to address these needs will undermine all the good work Congress has done in legislation like the Farm Bill to support specialty crops.

The very essence of agriculture, of growing healthy, nutritious foods depends on Congressional action now to make necessary reforms to the H-2A program and our nation's immigration policy. I thank you on behalf of Frey Farms, and the agricultural community, for the continued work and service that you dedicate to our livelihoods.

With that, Mr. Chairman, I will be happy to take questions from you and from the members of the committee.