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The Honorable Dianne Feinstein  
331 Hart Senate Office Building  
Washington, DC 20510

The Honorable Kamala Harris  
112 Hart Senate Office Building  
Washington, DC 20510

Dear Senators Feinstein and Harris:

On behalf of the California State Association of Counties (CSAC), I'm writing to urge you to seek passage of the *Farm Workforce Modernization Act* (HR 5038). As you know, this important bipartisan legislation was approved last year by the full House of Representatives and is now pending before the Senate.

HR 5038 is a long-overdue reform effort designed to stabilize employment in the nation's agricultural sector by expanding work opportunities for foreign-born individuals. The bill was carefully developed over the course of many months with significant input from agricultural stakeholders and other parties. In fact, well over 300 agricultural groups are on record supporting the legislation, including numerous national organizations and a number of California-based groups, such as the California Farm Bureau Federation (CFBF).

California agriculture contributes roughly \$50 billion to the state's economy on an annual basis and supports more than 400,000 jobs. Despite the vital importance of the agricultural industry to our state, labor shortages continue to negatively impact crop production while threatening the future viability of many farms. According to a 2019 survey conducted by CFBF, 56 percent of California farmers in the preceding five years were unable to find the laborers they needed for the production of their primary crop. The findings show that California farming operations continue to see a negative trend in employee availability, resulting in more challenges and the likelihood of tough business decisions in the future.

To help address the labor-shortage crisis, HR 5038 would establish a first-of-its-kind, merit-based visa program for the nation's agricultural sector. Pursuant to the bill, the Department of Homeland Security (DHS) would be authorized to grant temporary "Certified Agricultural Worker" (CAW) status to undocumented individuals who, in turn, would be eligible to earn permanent legal status for themselves and their dependent family members through continued agricultural employment. An individual's CAW status would be valid for five and a half years and could be extended by DHS.

Additionally, the legislation would make much-needed reforms to the H-2A agricultural guest worker visa program, including allowing a limited number of program participants to engage in year-round work. The H-2A program, which is designed to provide a legal pathway for seasonal employees, remains highly underutilized and is often unworkable for small growers.

HR 5038 also would require DHS to establish a nationwide system for employers to verify an individual's identity and employment authorization (known as E-Verify). Employers hiring individuals for agricultural employment would be required to use the new system.

Finally, the bill includes several important housing-related provisions, including language permanently authorizing the U.S. Department of Agriculture's (USDA) Housing Preservation and Revitalization Program, which provides financing assistance for rural rental housing and off-farm labor housing projects. The legislation also would authorize USDA to provide other types of assistance to qualified individuals, including funding for insuring loans and grants for new farmworker housing.

Again, CSAC strongly urges you to seek passage of the bipartisan *Farm Workforce Modernization Act*. If you have any questions or if you need any additional information, please contact Joe Krahn, CSAC Federal Representative, Paragon Government Relations at (202) 898-1444.

Sincerely,



Graham Knaus  
CSAC Executive Director

cc: Majority Leader Mitch McConnell  
Minority Leader Charles Schumer  
Senator Lindsey Graham, Chairman, Committee on the Judiciary  
Senator Pat Roberts, Chairman, Committee on Agriculture, Nutrition, & Forestry  
Senator Debbie Stabenow, Ranking Member, Committee on Agriculture, Nutrition, & Forestry