

**COLORADO
DEPARTMENT OF
AGRICULTURE**



U.S. Immigration Policy
-- Its Impact on Colorado's Agriculture Industry --

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Colorado Agriculture at a Glance

- **Colorado's farmers and ranchers ...**
 - ✓ help feed the nation, as well as consumers around the world.
 - ✓ provide wildlife habitat.
 - ✓ protect the environment.
 - ✓ fuel the state's economy.
- **Agriculture has generally been thought of as being about *food, fiber and feed*. Today, its also about *fuel*.**
- **While the future of agriculture in Colorado remains bright, there are mounting challenges ahead including ...**
 - ✓ diversion of farm and ranch land to development.
 - ✓ competition for water.
 - ✓ ability to produce enough food to keep up with population growth.
 - ✓ change in the mix of crops produced.
 - ✓ shortages of labor.



Colorado's Top 10

		2007 Cash Receipts (Thousand \$)	U.S. Rank
#1	Cattle & calves	\$3,174,911	4 th for cattle on feed and fed cattle marketings 10 th for all cattle & calves
#2	Dairy (milk)	515,503	15 th in milk production and 17 th for milk cows
#3	Wheat	418,612	6 th in winter wheat and 8 th overall
#4	Corn for grain	382,489	15 th in production
#5	Hay	362,562	10 th in alfalfa production and 14 th overall
#6	Produce	329,657	Includes potatoes (5 th in overall production), onions, apples, peaches, grapes, melons, etc.
#7	Greenhouse & nursery	322,000	Includes sod production
#8	Poultry & eggs	219,768	23 rd in egg production and 24 th in layers
#9	Hogs	198,484	12 th for pig crop and breeding hogs & pigs 15 th for all hogs & pigs and market hogs & pigs
#10	Sheep & lambs	112,553	2 nd for market sheep & lambs, 4 th for all sheep & lambs and wool production, and 9 th for lamb crop
Total for Top 10		\$6,036,539	94.3% of total cash receipts from livestock and crop production



Labor is Critical to Colorado's Ag Industry

- **USDA estimates there are 1.2 million hired ag workers across the U.S.**
 - ✓ 50-75% are in the U.S. illegally.
 - ✓ ~75,000 were processed through the Federal H2A program in 2007.
- **Colorado's agriculture industry employs an estimated 9,000 migrant and H2A workers annually -- mostly in the fruit, vegetable, and green sectors.**



But yet, Colorado's ag industry faces shortages of seasonal workers!



As Reported in the News

“It’s a Colorado tragedy. There is a severe worker shortage. We and every other farmer that grows fresh products are losing crops because of it.”

Andy Grant – Grant Family Farms

“The United States must develop a reasonable seasonal labor program. Otherwise, we may soon find ourselves depending on other countries for fresh fruits and vegetables.”

Robert Sakata – Sakata Farms

“America’s broken immigration system is creating a crunch on Colorado farms, which depend on seasonal workers during harvest.”

Denver Post



The Federal H2A Program

- **The Federal H2A Program has often been the only option available to Colorado producers needing temporary labor.**
- **The H2A Program was authorized in 1986 as part of the Immigration Reform & Control Act.**
- **Provides for the lawful admission of non-immigrant workers for purposes of providing agricultural labor and services of a temporary or seasonal nature.**

Summary of Colorado H2A Certifications		
	FY2006	FY2007
Employers Certified	189	237
Workers Certified	1,107	1,925



Is H2A Working for Colorado?

- **Yes, in that 200+ Colorado farmers and ranchers are using the H2A program to secure at least some seasonal workers.**
 - ✓ But, many report shifting production to less labor-intensive crops, reducing acreage, and in some instances, getting out of the business.
- **No, in that Colorado farmers and ranchers report significant problems including ...**
 - ✓ Program complexity often requires farmers and ranchers to seek assistance from attorney's and/or agents, resulting in high costs.
 - ✓ A lack of certainty in terms of approvals and/or the timing of approvals as the H2A program involves 3 Federal agencies – USDOL, USCIS and the State Department.



Colorado's Pilot Program

- **Legislation introduced by Rep. Looper and Sen. Tapia in 2008.**
- **Key elements of the Program include ...**
 - ✓ pre-qualification and listing by CDLE of agents capable of assisting producers to address the complex H2A application procedures, recruiting and administrative requirements.
 - ✓ Greater transparency (and competition) in fees charged by agents as each agent pre-qualified by CDLE must publicly post their fees.
 - ✓ Producers who might not otherwise use the H2A program will be supported through the process by CDLE staff.
- **The Program is open to all Colorado farmers and ranchers but labor needs must still be consistent with Federal H2A rules.**
- **Would allow up to 1,000 workers in year 1 of the Program and increase by 1,000 workers in each of the next 4 years.**



The Issues Impacting Agriculture

- **Agriculture's need for *non-immigrant* seasonal workers has become entangled in the divisive and ongoing debate concerning U.S. immigration policy.**
- **Colorado's special legislative session in 2006 painted Colorado as "unfriendly" to migrant and prospective H2A agricultural workers.**
- **There is intense competition for labor – higher paying energy and construction jobs often lure workers away from agriculture.**
- **Agriculture's needs tend to be seasonal – having access to labor at the precise time when crops are ready to be harvested or picked is crucial.**
- **Dairy and feedlot operators generally cannot participate in the H2A program as the jobs are considered "year-round" and the H2B program (intended to deal with year-round workers) is exceedingly over-subscribed.**



Points for Further Discussion

- **To what degree is food policy integral to our country's national security?**
- **Can agriculture introduce more labor-efficient technologies and/or management practices?**
- **Would raising agricultural wages entice more U.S. workers to seek employment in agriculture?**
- **What are the international economic and diplomatic implications of reforming our seasonal worker laws?**



Points for Further Discussion

- **How do current U.S. immigration policies impact the family structure of workers, the cultural make-up of rural communities, and costs for public services?**
- **Isn't it the goal for the vast majority of seasonal and temporary workers to earn a good wage, send money home to their families and then return to their homes upon completion of the work assignment?**
- **Is it in the best interest of the US to enforce against undocumented spouses of legal workers who may own property and have acquired debt?**



Summary

- **Colorado's agriculture industry depends heavily on seasonal and temporary labor.**
- **Agriculture's labor needs are not being fully met with local labor, migrant workers or with workers through the H2A and H2B programs.**
- **Greater reform of the H2A and H2B programs is needed and should be a part of overall immigration policy reform.**
- **We need a well-defined, accountable foreign labor workforce.**
- **The bottom line – we have a choice, we can create a rational approach to help agriculture secure the workers it needs or we can import more and more of the food we eat from other countries.**

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Thanks

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