

# Farmers Call Crackdown on Illegal Workers Unfair

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By JULIA PRESTON

Facing the prospect of major layoffs of farmworkers during harvest season, growers and lawmakers from agricultural states spoke in dire terms yesterday about new measures by the Bush administration to crack down on employers of illegal immigrants.

“This is not just painful, this is death to the American farmer,” Maureen Torrey, who runs a family dairy and vegetable farm in Elba, N. Y., said in a telephone interview.

“We’ve tried everything we can do,” Ms. Torrey said. “But they are leaving us with no options.”

At a news conference in Washington yesterday, Michael Chertoff, the secretary of homeland security, and Carlos M. Gutierrez, the secretary of commerce, formally unveiled the measures, which had been disclosed in general terms earlier, to reinforce border security and drive illegal immigrants out of the labor force.

The new effort was cautiously welcomed yesterday by conservative Republicans who defied President Bush in June and opposed a broad immigration bill he supported that failed in the Senate. That bill included provisions to give legal status to illegal immigrants and to create a guest worker program for agriculture.

Senator John Cornyn, a Texas Republican who turned against that bill, said the measures were “a long-overdue step to regaining the trust of the American people that the federal government is serious about securing our borders and enforcing our laws.”

Under the new rules, employers will have 90 days to resolve discrepancies between Social Security numbers provided by their workers and the records of the Social Security Administration.

If the employers cannot obtain valid Social Security information for an employee within three months after receiving a notice of any discrepancies, they must fire the worker. Illegal immigrants often present false Social Security numbers on job applications.

Fines levied on companies for knowingly hiring illegal workers — currently \$2,200 for a first offense and up to \$10,000 for repeat offenses — will increase by 25 percent, officials said.

Mr. Chertoff said the “real hammer” would be more frequent use by the immigration authorities of criminal felony charges against employers and illegal immigrant workers. He said the authorities had made 742 criminal arrests so far this year in illegal employment cases, compared with 716 such arrests in all of last year, which was a record.

Senator Dianne Feinstein, Democrat of California, who has worked closely with growers, described the new enforcement as a “catastrophe.”

“The crisis is that crops will not be harvested,” Mrs. Feinstein said.

Employers in low-wage industries were critical but guarded, reluctant to admit openly that they hire illegal immigrants. Randel K. Johnson, a vice president of the United States Chamber of Commerce, said the measures were “one more kick in the pants” for meat-packing, construction and health care companies that employ immigrant workers in unskilled jobs.

Farmers were less shy, saying at least 70 percent of farmworkers are illegal immigrants.

Ms. Torrey, the New York farmer, and other growers expressed their distress to White House and Homeland Security Department officials during a conference call with the National Council of Agricultural Employers, arranged by the administration to explain the new plan. Ms. Torrey warned that dairy cows would die from lack of milking if New York farmers had to fire immigrant dairy workers.

Luawanna Hallstrom, a tomato grower in Oceanside, Calif., who also participated in the conference call, called the measures “a train wreck.”

At the Washington news conference, Mr. Gutierrez said part of the new plan was to streamline the existing agricultural guest worker program, which he acknowledged was “not workable.” But growers said only 2 percent of farmworkers nationwide came from that program.

Mr. Chertoff suggested that employers should focus their ire on Congress for failing to pass the broader immigration measure. “We can be very sure that we let Congress understand the consequences of the choices that Congress makes,” he said.

To simplify slightly the burden on employers, Homeland Security Department officials will reduce the number of documents — currently 29 — that they can accept to verify that a job applicant is authorized to work. They also pledged to clean up an error-prone database that employers can use to check a job applicant’s immigration status, and said they would seek to add state driver’s license information to the data.

The administration proposed new rules, which should take effect in a few months, to require federal contractors and vendors to check their employees through the database.

To increase border security, beginning Jan. 31, 2008, all travelers entering the United States will be required to show passports or other secure documents.