

EDUCATION & LABOR COMMITTEE

Congressman George Miller, Chairman

Strengthening America's Middle Class

Thursday, June 7, 2007
Press Office, 202-226-0853

Chairman Miller Statement at Committee Hearing on “Protecting U.S. and Guest Workers: the Recruitment and Employment of Temporary Foreign Labor”

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. George Miller (D-CA), chairman of the House Education and Labor Committee, for a committee hearing on “Protecting U.S. and Guest Workers: the Recruitment and Employment of Temporary Foreign Labor.”*

Good morning. Welcome to today’s hearing on the recruitment and employment of temporary foreign labor.

Hundreds of thousands of guest workers come to the United States each year under existing programs, and immigration legislation now pending in Congress would further expand these sources of temporary foreign labor.

As the country and the Congress debate reforms to our nation’s immigration system, it is critical that we pay particular attention to the treatment of guest workers and how well our current guest worker programs work.

Examining guest worker programs raises a lot of questions. One question is whether and to what extent temporary foreign labor is actually needed. That is, are we accurately measuring our labor needs? Are U.S. workers truly unavailable to fill jobs? Is temporary foreign labor the right way to fill any needs?

Another question is this: To the extent that we have guest worker programs, do those programs include adequate protections for both guest workers and U.S. workers?

While they are in this country, guest workers should receive basic labor protections and adequate legal safeguards. Denying or failing to enforce basic rights for guest workers who are here is harmful to both U.S. workers and the overall U.S. economy.

Yet, as we have seen in various reports and news accounts, our current guest worker programs are sorely lacking in meaningful labor protections.

Problems with these programs occur from the very start of the process, in foreign countries where guest workers are first recruited. In exchange for thousands of dollars in fees,

unscrupulous labor recruiters lure workers to the United States by promising them good jobs and a better life.

Many of these workers, who live in poverty in their home countries, sell their land or take out high interest loans so that they can afford the recruiters' fees.

Guest workers come to this country with the hope of providing their families with a better life. But in far too many cases, they arrive here only to find out they were cruelly deceived.

They earn unlivable wages for extremely difficult jobs to which they never agreed. They find themselves unable to repay their deep debts to their recruiters.

Sadly, those are the least of their worries. Guest workers often endure sweatshop conditions and back-breaking work for inhumanly long hours. They are forced to work through illness and injury, sometimes with only one day of rest per week.

Employers frequently withhold wages from guest workers. In some cases, they automatically deduct the majority of workers' weekly pay to cover room and board. Meanwhile, the housing that is provided for guest workers is often severely substandard, with no electricity, hot water, doors, or windows.

There are cases where workers suffer physical violence at the hands of their employers and are threatened if they should try to leave. Consequently, they are left with little or no money, no voice, and quite often, more debt. Unable to pay off debt manufactured by recruiters and their employers, the workers are trapped by fear.

It may seem impossible that I could be describing working conditions in the United States in 2007. But I am not exaggerating. These deplorable practices not only undermine living standards, they ruin lives.

In their worst form, these practices constitute the closest thing we have in this country to modern-day slavery or indentured servitude.

These practices drive down wages and working conditions for American workers, too, who now must compete for work alongside workers who are treated shamefully.

Before we invite any more guest workers to this country, we must fix the serious flaws in the current system.

First and foremost, we need to ensure that U.S. employers be permitted to hire guest workers to fill job openings only when there are absolutely no American workers available, able, and willing to fill them.

Then, we must provide guest workers with adequate labor rights and protections. When and if abuses of these rights do occur, we must enforce the law and hold employers and recruiters accountable.

I have introduced legislation, the Indentured Servitude Abolition Act of 2007 (H.R. 1763), that would help put a stop to these practices. Among other things, the bill would hold recruiters and employers responsible for the promises they make to prospective employees and for their treatment of guest workers.

By preventing U.S. employers from exploiting cheap foreign labor, we will not only end these serious human rights violations, but we will also help fight against a race to the bottom in wages and benefits for all workers in this country.

Dealing with labor recruiters, however, is just one part of the solution. We need strong, meaningful protections for all workers – and we need to ensure that those protections are vigorously enforced.

This morning's hearing is critically important to the work that we are doing to reform the nation's immigration laws.

We have an incredibly distinguished panel of witnesses with us today, and I am pleased to welcome them to the Committee.

Thank you.

<http://edlabor.house.gov>