

Oregon Jobs in Oregon Forests?

A Report on H-2B Visa Abuse



Oregon's Senator Jeff Merkley

American Taxpayer Dollars for Foreign Workers: *The data behind the forest jobs fiasco*

Oregon needs more jobs in the woods. Thousands are out of work and the state's overgrown, choked second-growth forests are disease-ridden and need to be thinned. So when the American Recovery and Reinvestment Act was up for debate, Oregon's Senator Jeff Merkley fought for a provision to create jobs for Oregonians through forest thinning work.

However, as has been well documented by the *Bend Bulletin* and by the Department of Labor's Inspector General, millions of dollars in Recovery Act funding were used to employ foreign workers on forest thinning projects that had been intended for unemployed Oregon timber workers. This was possible due to loopholes in enforcement of the H-2B visa program, created to bring in temporary foreign workers in cases when employers are unable to find American workers willing and able to do the job. The Inspector General report showed that not one Oregonian was hired for the Recovery Act jobs by the four companies whose work under Recovery Act contracts was audited.

Now, information provided to Senator Merkley by the U.S. Forest Service reveals that the problem of H-2B forest labor is widespread in Central Oregon. During fiscal years 2010 and 2011, more than 40 percent of all labor-intensive Forest Service projects¹— the type of work that includes forest thinning and wildfire prevention work — went to firms that were using foreign workers, despite high unemployment in Central Oregon.

A recent search of the Oregon Employment Department's job seeker database showed that approximately 1,000 Oregonians in Central and Eastern Oregon and 5,000 statewide were actively seeking work in the forests.

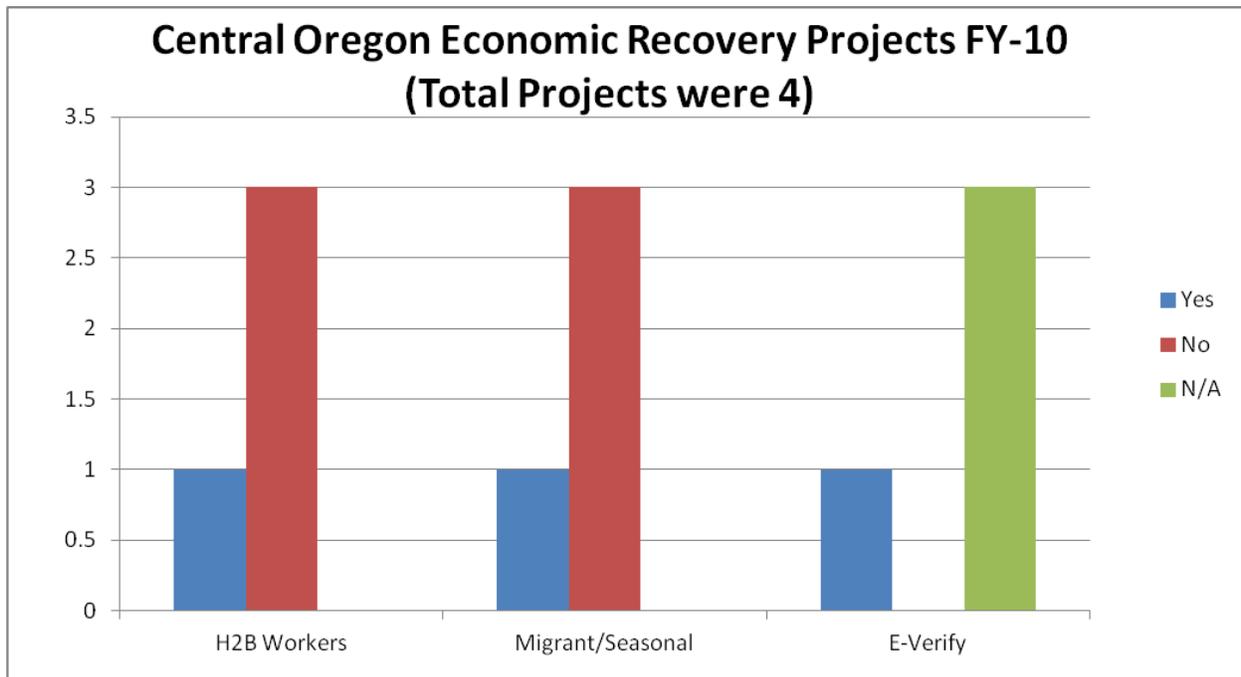
Senator Merkley introduced the American Jobs in American Forests Act to curb the abuse of the H-2B program and make sure American workers are given a fair shot at being hired before employers hire cheap labor from another country. The bill would change the administration of the H-2B program, ensuring that employers make a meaningful effort to recruit workers in communities where the

¹ "Labor-intensive" projects refers to what the Forest Service categorizes as manual forestry labor work — a category that would include forest thinning and hazardous fuels reduction.

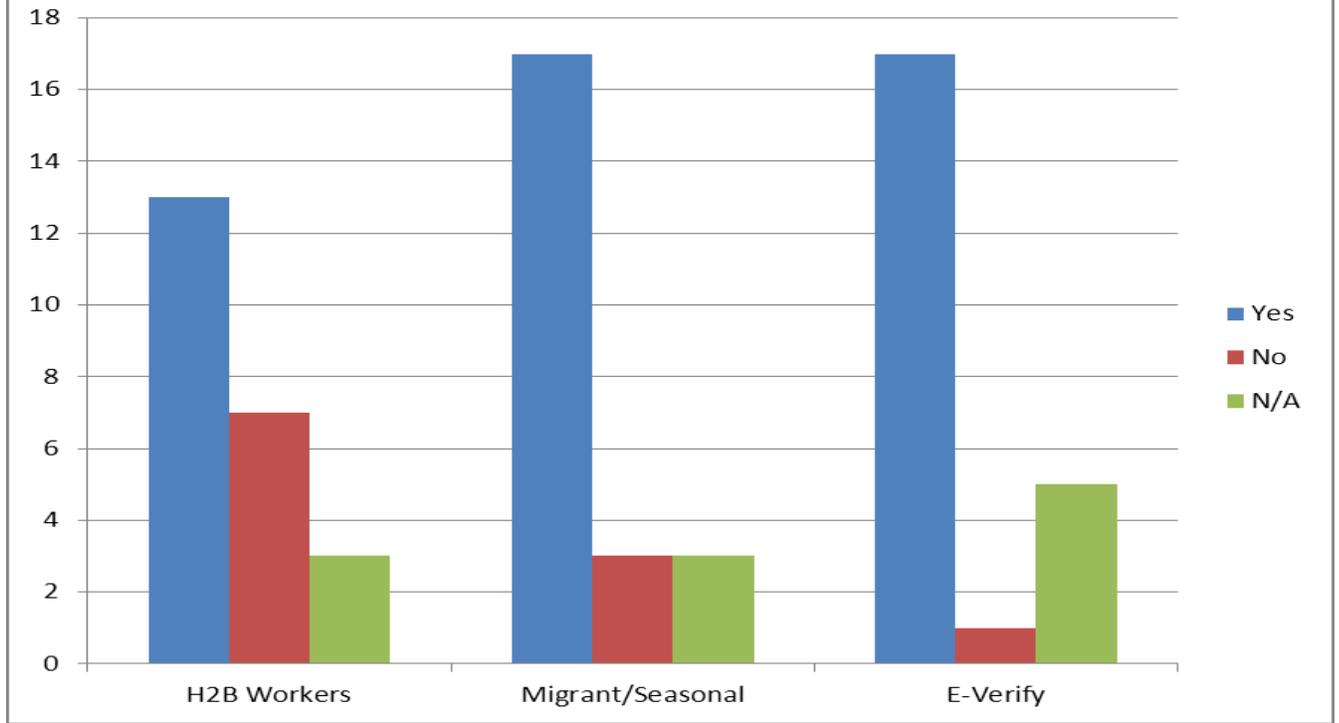
work will take place and requiring concrete steps to hire Oregonians before H-2B visas can be issued.

Extent of H-2B Visa Abuse Underscores the Need for Reform

Data provided by the Forest Service reveals the extent to which H-2B visas have been used across Central Oregon to bring in foreign labor for forest work



Central Oregon R6 Program of Work FY-10 (Total Projects were 23)



*N/A = No Data Returned

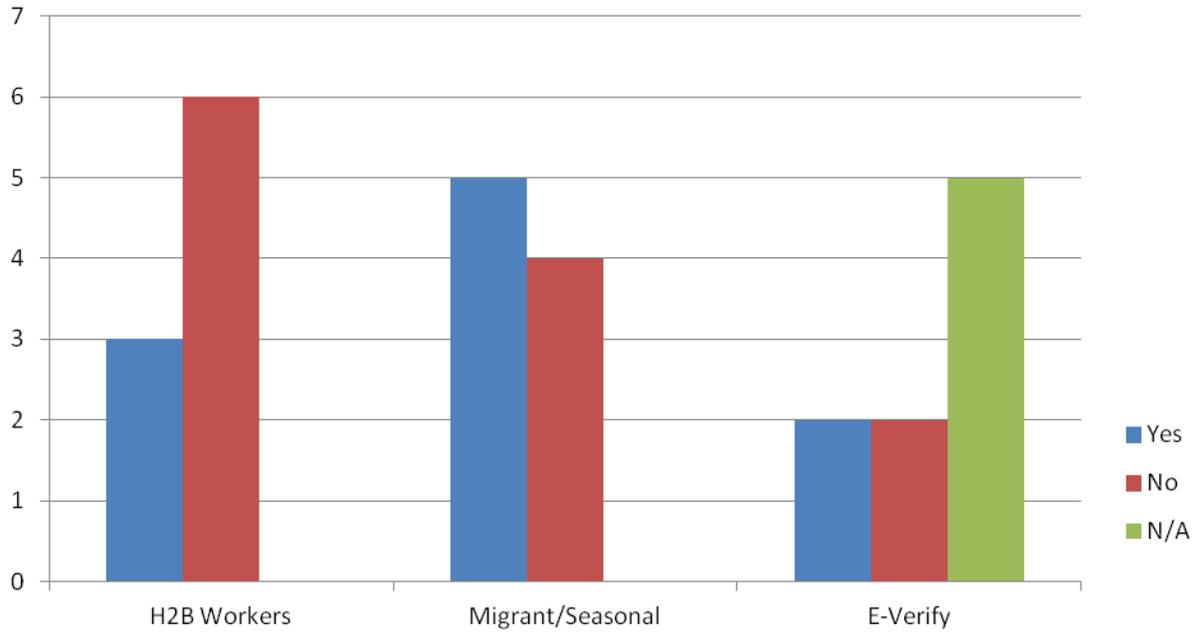
Projects not requiring e-verification (i.e. No employees)

Three questions were asked to contractors by telephone:

1. Were H2B Workers used for LISC Contracts?
2. Were Seasonal/Migrant Workers used for LISC Contracts?
3. Did you E-Verify for LISC Contracts?

**Note: Economic Recovery Project above and beyond regular Program of Work

Central Oregon R6 Program of Work FY-11 (Total Projects were 9)



***N/A - No Data Returned**

Projects not requiring e-verification (i.e. No employees)

Three questions were asked to contractors by telephone:

1. Were H2B Workers used for LISC Contracts?
2. Were Seasonal/Migrant Workers used for LISC Contracts?
3. Did you E-Verify for LISC Contracts?