

GROWERTALKS

JZ on D.C.

8/1/2019

AmericanHort Comments on Senate Agricultural Trucking Relief Act

Jennifer Zurko



Industry ADVOCATES: AmericanHort

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AmericanHort President and CEO Ken Fisher released the following statement on July 1 after the introduction of S. 2025, the Agricultural Trucking Relief Act, by Sens. Perdue (R-GA) and Merkley (D-OR).

“We applaud Senators Perdue and Merkley for introducing this bill to finally create a single, concrete definition of agricultural commodities that reflects the consensus of many government agencies and the needs of the entire agricultural industry,” said Fisher. “While horticultural products are treated as ‘agriculture’ when they are grown and when they are sold, transportation of our products is hampered when drivers and inspectors alike are forced to attempt to interpret the current ambiguous definition. This bill would correct that problem and place all agricultural goods, including horticultural products, on a level playing field and ensure prompt delivery to the consumer.”

Background: S. 2025 is a companion bill to H.R. 1673, introduced in the House earlier this year by Rep. Austin Scott (GA-08). Current law doesn’t specifically define which products are classified as “agricultural commodities” relating to transportation policy and regulatory compliance, leading to fragmented regulations across agencies. S. 2025 would clearly define agricultural commodities by aligning the definition used by the Federal Motor Carrier Safety Administration (FMCSA) with those used by the Department of Agriculture (USDA) and the Environmental Protection Agency (EPA).

In addition to providing government-wide certainty to business, this legislation will ensure horticultural products are treated fairly when enforcing Hours of Service (HOS) rules and Electronic Logging Device (ELD) regulations.

—Tristan Daedalus, Director of Advocacy & Political Communications, AmericanHort

Efforts Underway To Address H-2B Visas For 2020

On June 19, the House of Representatives passed an FY 2020 spending package that includes funding for the Department of Labor (DOL). The spending bill contains an H-2B provision that would allow for visas to be allocated proportionally on a quarterly basis.

The House is now debating on a second funding package that includes funding for the Department of Homeland Security (DHS). That bill modifies the current H-2B cap discretionary language to take away some of the discretion from DHS about releasing additional visas.

As you know, the fiscal 2017, 2018 and 2019 DHS appropriations bills said that DHS “may” release up to 69,320 visas if it determines that the needs of seasonal businesses cannot be met with American workers. The bill that the Appropriations Committee just advanced in the House states that DHS “shall” release up to 69,320 visas if it determines that the needs of seasonal businesses cannot be met with American workers.

The Senate has not yet acted on any spending bills, but we’re advocating for the same language to be included in the Senate DOL and DHS funding bills. We’re also advocating for legislation to permanently address the cap.

As with the past several years, the federal appropriations process is expected to be contentious and could drag out past the start of FY 2020. However, getting positive H-2B language in the House DOL and DHS funding bills is a very significant first step in this process.

—Craig Regelbrugge, VP of Government Relations & Research, AmericanHort

Executive Order Builds Momentum for Streamlined Biotech Regulations

President Trump signed an executive order in June intended to streamline the regulatory process for genetically engineered agriculture. The move comes after the U.S. Department of Agriculture announced plans to deregulate many future genetically engineered crops in response to advances in scientific processes.

The Society of American Florists has long advocated for the government to update existing regulations so that breeders can introduce more varieties and cultivars to the market faster—crops that could potentially be more pest, disease and drought resistant, and that would require reduced use of certain pesticides and fertilizers.

By streamlining regulations, the industry would have the ability to create plants that require fewer pesticides and other costly inputs, including water, which could help growers faced with challenges posed by periodic droughts and create more sustainable products. The changes would also likely lower the cost of genetically engineered agriculture by reducing cumbersome regulatory requirements and removing barriers to entry for smaller companies.

Opponents of the efforts, meanwhile, say deregulation could reduce consumer confidence in genetically engineered products and diminish transparency among producers.

—Mary Westbrook, editor of SAF’s *Floral Management* magazine

AmericanHort Officially Announces Impact Washington Summit

AmericanHort has officially announced the Impact Washington Summit, which will be held on September 16-18 in Washington, D.C. Confirmed keynote speakers at this signature horticulture industry event include:

- Andrew Wheeler, Administrator—U.S. Environmental Protection Agency: Wheeler was confirmed the fifteenth Administrator of the Environmental Protection Agency in February. He began his career during the George H. W. Bush Administration as a Special Assistant in the EPA. He has served in several positions on the Senate Environment and Public Works committee staff, and as Principal at FaegreBD Consulting.
- Daniel Garza, President—The Libre Initiative: Garza was born in the Central Valley of California and would migrate

with his family annually from their ancestral hometown of Garza Gonzalez in Nuevo Leon, Mexico, throughout California, Nebraska and Washington State following the crop season as farm workers until he was 19 years of age. Garza has worked in the House of Representatives, served in local government and was appointed to the Interior Department in the George W. Bush administration.

Other confirmed speakers include Laurie Flanagan, chair of the H-2B Workforce Coalition on behalf of AmericanHort, and Lynn Jacquez, managing partner at CJ Lake, LLC and AmericanHort immigration and employment law counsel.

Issues of focus will be workforce, transportation and research, as well as current regulatory issues. Participants will visit their Congressional delegations, building and strengthening relationships that are critical to our success in the public policy arena. Additional speakers will be announced as the event draws closer. You can find more information at AmericanHort.org.

—*Tal Coley, Director of Government Affairs, AmericanHort*

APHIS Modernizes Plant Pest Regulations

USDA's Animal and Plant Health Inspection Service (APHIS) is revising the regulations that govern the movement of plant pests. Several years ago, Congress clarified APHIS' authority to regulate:

- 1) The movement of plant pests;
- 2) biological control organisms, which may act as plant pests; and 3) associated articles, which may harbor plant pests or noxious weeds.

As a result, APHIS streamlined the permit process for low-risk plant pests and organisms moving through interstate movement. This allows APHIS to focus more on the import of live insects, biological control organisms and weeds to prevent harm to U.S. agricultural and environmental resources. The new rule goes into effect on August 9.

—*From the Florida Nursery, Growers & Landscape Association Newsletter*