

GROWERTALKS

JZ on D.C.

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Farm Workforce Bill Reintroduced

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The Farm Workforce Modernization Act (FWMA) has been reintroduced in the House by Reps. Dan Newhouse (R-WA) and Zoe Lofgren (D-CA), joined by the following original co-sponsors: Mike Simpson (R-ID), Jim Costa (D-CA), David Valadao (R-CA), Jimmy Panetta (D-CA), John Duarte (R-CA), Salud Carbajal (D-CA), Henry Cuellar (D-TX) and Jerrold Nadler (D-NY).

The bill, as we understand, is unchanged from the version that passed the House on a solid bipartisan vote during the last Congress. It would

substantially reform the H-2A program, including some positive provisions, such as capping annual wage increases and providing visas for non-seasonal/year-round positions. It would also stabilize the current workforce, providing paths to legal status for experienced, but unauthorized, workers. However, the prospects for near-term action in the House are not bright.

In other ag/hort workforce news, the House Agriculture Committee has established a new task force to study and make recommendations for workforce reforms, with substantial focus on the role of the H-2A program and needed improvements. The Judiciary Committee has primary jurisdiction over H-2A, but presents a hostile environment for constructive dialogue on the topic.

—Craig Regelbrugge, Executive VP of Advocacy, Research & Industry Relations, AmericanHort

Advocacy Staff Transitions for AmericanHort

AmericanHort welcomes Matt Mika to its advocacy and research staff team, as Vice President of Advocacy & Government Affairs. Matt brings extensive government advocacy and public policy experience to his new role. His background includes serving as legislative staff for former Rep. Dave Camp (R-MI), agriculturally focused trade association policy work at the American Meat Institute, corporate advocacy with Tyson Foods, and most recently as Vice President for Government Affairs with Atlas Crossing, a multi-client advocacy firm in Washington, D.C.

Also, Sara Neagu-Reed has departed from AmericanHort advocacy team to pursue another opportunity in the agricultural association community after serving as Director of Advocacy & Government Affairs.

Progress Toward H-2B Cap Relief

On June 21, the House Appropriations Committee passed the Homeland Security appropriations bill for FY 2024, including an amendment adding a returning worker exemption (RWE) for the H-2B program. The bill states that if an H-2B worker has been counted toward the cap “during any of the three preceding fiscal years,” they shall not again be counted towards the “numerical limitation” (H-2B cap). RWE language has not been included in a committee-passed bill for several years, so this is a huge step.

This exemption would provide visa cap relief for the heavily strained H-2B program, which allows workers to enter the country on temporary work visas to support our domestic workforce by filling unmet seasonal needs. H-2B addresses labor shortages in seasonal industries such as landscaping, food service, hospitality and seafood processing. January 2022 saw a 41% increase in requests for H-2B workers from the prior fiscal year, with demand only continuing to grow since, as seasonal industries face one of the worst labor shortages in decades. Yet, the 66,000 visa H-2B cap has not been raised by Congress in decades, other than through temporary measures, leaving many businesses unable to access an adequate seasonal workforce.

Members of our industry know how important these workers are in supporting and sustaining American businesses in the horticulture market chain. A returning worker exemption would allow workers who’ve already participated in this program to return to businesses that have come to rely on their support. However, there’s a long and difficult road ahead before cap relief can be assured. Under normal legislative process, this and 11 other appropriations bills would be debated and voted on by the full House. The Senate, meanwhile, would debate and advance its own version and differences would then need to be reconciled with the House. Yet in recent years, the appropriations process has been anything but normal.

Still, it’s no small feat that this language is included in this bill. As those who’ve been following the Committee process know, there’s a growing consensus among leaders in Congress that labor shortages in seasonal industries must be addressed. This amendment was discussed, debated and fought for by a bipartisan group of members. We especially thank Appropriations Chair Kay Granger (R-TX), Subcommittee Chair Dave Joyce (R-OH), Subcommittee Ranking Member Henry Cuellar (D-TX), Dr. Andy Harris (R-MD), Rep. Chellie Pingree (D-ME) and Rep. Dutch Ruppersberger (D-MD) for their leadership on this first, but crucial, step.

—Marlo Hicks & Sara Neagu-Reed

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