

# GROWERTALKS

JZ on D.C.

5/1/2023

## Highlights From SAF's 43rd Annual Congressional Action Days

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On March 21, growers, wholesalers, retail florists and others with ties to the industry met with 70 congressional offices in Washington, D.C. during the Society of American Florists 43rd annual Congressional Action Days to highlight the issues affecting their businesses—and how Congress can help.

Attendees spoke with legislators and their staffs about the need to fund floriculture research, reform agricultural labor, provide access to duty-free flowers

and renew the Farm Bill, which provides funding for innovations, research and disaster relief for specialty crops.

*Pictured: The Florida delegation poses before their legislative appointments. On the far right is Austin Bryant from Heart of Florida Greenhouses in Zolfo Springs and a GrowerTalks columnist.*

“Our legislators need to hear about the issues affecting the floral industry,” SAF President Michelle Castellano Keeler said. “It is up to us to bring these issues to Washington and educate our elected leaders about how they could help improve our industry.”

“How many people worked their entire lives and maybe they visited Washington, D.C. once and took a tour?” asked Fernando Ortega of Jet Fresh Flower Distributors in Miami. “But we literally got to work the democratic process. We were advocating for our industry and that for me is the biggest takeaway because I never thought I’d do that in my life.”

Prior to congressional appointments, SAF Senior Lobbyist Joe Bischoff briefed attendees on the issues. Attendees also heard from Tim Rinehart, the program leader for specialty crops under the USDA’s Agricultural Research Service (ARS). In that role, Rinehart oversees the Floriculture Nursery & Research Initiative (FNRI).

“ARS’s mission is to deliver scientific solutions for grower problems to agricultural industries,” he told attendees during the Grassroots Breakfast. Last year, SAF members successfully lobbied for and secured a \$1 million increase in annual funding for that program.

During visits with legislators, floral professionals thanked representatives for the funding increase and asked them to maintain the fiscal year 2023 funding level in fiscal year 2024. They also urged members of Congress to pass legislation re-authorizing the Generalized System of Preferences (GSP), which would make roses from Ecuador duty-free; pass legislation to address the agricultural labor crisis; and work toward passing a new Farm Bill with an emphasis on research, pest management and improved access to crop insurance.

In conversations with legislators and their staffs, industry members highlighted how SAF's advocacy priorities affect their businesses.

"As a small family business, as an industry full of small family businesses, and as a penny industry, [renewing the GSP] saves us about \$20 to \$25 million, which is huge," Fernando told an aide for Sen. Marco Rubio. "Getting the GSP passed will help our industry."

Others highlighted how improvements to agriculture labor and immigration reform is needed to help their businesses—facing severe labor shortages—utilize affordable labor. Many growers utilize the H-2A program to hire immigrants, but the program involves a complicated hiring process compliance—and it's also expensive. Employers must pay wages based on the Adverse Effect Wage Rate, which changes annually—and often with sharp increases.

"We use a lot of H-2A worker programs—we are dependent on it," FJ Trzuskowski, vice president of sales for Continental Floral Greens, told an aide from Sen. Jim Risch's office. "We literally couldn't do it with the local labor."

Floral professionals also talked about the importance of the Farm Bill, a multi-year law that expires September 30, which provides funding for research, plant and pest disease mitigation and management, and specialty crop block grants.

Erin Davidson, director of marketing at McNamara Florist in Indianapolis and a first-time attendee of Congressional Action Days, said she was impressed during one of her meetings when an aid for Rep. Max Miller expressed her support for the floral industry. The aide even mentioned that she'd visited a floriculture research hub in Miller's district. Erin felt that her messages resonated during other meetings, too.

"When you all come together like this, it has an impact," she said. "It's really a way for us to show off the floral industry and how big we are, and that we are a global industry. Lobbying is just a way of educating them and making an ask to help our industry. It's another opportunity to help our business."

— *Elizabeth Daly, Society of American Florists*

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## H-2A Wage & Cost Issues on Congressional Radar

The agricultural industries' opposition to the new Department of Labor (DOL) wage rule for H-2A workers is being heard loudly and clearly on Capitol Hill.

As previously reported, the Biden Administration published a final rule on February 28 amending its regulations governing the certification process for agricultural labor or services to be performed by temporary foreign H-2A workers. Under the new DOL rule, several specialized farm job duties, such as truck driving and on-farm construction, may trigger separate and likely higher "adverse effect" wage rates (AEWRs). These likely higher wages would be required for all workers employed under the job order and any U.S. workers considered to be in corresponding employment (performing any job tasks in common), regardless of what tasks individual workers are actually performing. The new rule inflicts additional administrative and cost burdens on H-2A users.

As a result of ongoing Congressional advocacy efforts, Senators Budd (R-NC) and Scott (R-SC), and Reps. Norman (R-SC) and GT Thompson (R-PA) are planning to introduce a Resolution of Disapproval under the

Congressional Review Act (CRA). The CRA resolution, if passed by simple majorities in both chambers of Congress, would override implementation of the new final rule, but would be subject to a Presidential veto. Regardless of the final outcome, there's merit in a strong showing of bipartisan support by Congress condemning this rule. It also creates opportunity to educate Hill offices on how disastrous this rule is for our industry.

Separately, late last week, Senators Ossoff (D-GA) and Tillis (R-NC) introduced the bipartisan Farm Operations Support Act, which would revert the 2023 AEWR to the 2022 rate for the remainder of 2023. The U.S. national average AEWR rose 6.8% and outpaced the 5.3% wage growth reported for all private employees' seasonally adjusted average hourly earnings. This year's steep increase on top of sustained prior increases has put significant pressure on the bottom lines of greenhouse and nursery growers.

AmericanHort will continue pushing to advance solutions to the H-2A program's high cost and administrative burdens.

*—Sara Neagu-Reed, Director, Advocacy and Government Affairs, and Craig Regelbrugge, Executive VP of Advocacy, Research & Industry Relations, AmericanHort*

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