



December 3, 2018

Rep. Paul Ryan
Speaker of the House of Representatives
H-232 The Capitol
Washington, DC 20515

Sen. Mitch McConnell
Majority Leader, U.S. Senate
317 Russell Senate Office Building
Washington, DC 20510

Rep. Nancy Pelosi
Minority Leader, House of Representatives
H-204 The Capitol
Washington, DC 20515

Sen. Charles Schumer
Minority Leader, U.S. Senate
322 Hart Senate Office Building
Washington, DC 20510

Re: Agricultural Wage Rates for 2019

Dear Speaker Ryan, Leader McConnell, Leader Pelosi, and Leader Schumer,

The National Council of Agricultural Employers, together with our undersigned partners in the agricultural employer community, write to support legislative language to address a serious concern among our farmers and ranchers over agency action that will result in significant and unsupported cost increases for American farms in 2019. A wide spectrum of agricultural groups, including several advocates for farmworkers, join us in this concern and in urging Congress to take action to address this.

Congress created the H-2A non-immigrant agricultural visa program in 1986, under which U.S. farms can legally employ foreign workers on a temporary basis where they can prove to the Department of Labor that they are unable to find and recruit sufficient numbers of U.S. workers and that the employment of foreign workers will not “adversely affect” U.S. workers similarly employed. DOL does not currently measure actual “adverse effect” on U.S. workers but, rather, uses average wage data from USDA to set a minimum wage for foreign agricultural workers. DOL has no other mechanism right now to alter the methodology. The calculations result in a wage level significantly higher for the 2019

growing season, a far greater increase than the national average and at a time when prices are level or decreasing for most crops.

Without immediate action, growers will face increases of up to 23% in labor costs within the next few weeks as a result of this methodology. Senator Tillis is advancing a proposal to implement a short-term hold for wage rates for the 2019 growing season to provide a window for DOL and the Department of Agriculture to develop an improved system that offers an accurate and market-based assessment of adverse effect and develop the most effective mechanism to address it. Our organizations write to support the proposal from Senator Tillis to address this problem, both in the near-term and on a permanent basis.

DOL will publish its 2019 AEW in the Federal Register within the next 3 weeks. We strongly urge you to support Senator Tillis' proposal as part of any appropriations bill that Congress takes up before then.

Thank you for your time and consideration of these comments.

Sincerely,

Michael Marsh

President and CEO
National Council of Agricultural Employers

Additional Signatories-Organizations Representing Employers:

Agriculture Affiliates
AgCarolina Farm Credit
Alabama Nursery & Landscape Association
AmericanHort
Appalachian Fruit Growers
California Apple Commission
California Association of Nurseries and Garden Centers
California Avocado Commission
California Blueberry Commission
Grower-Shipper Association of Central California
Olive Growers Council of California
Colorado Fruit & Vegetable Growers Association
Colorado Nursery & Greenhouse Association
Farm Credit East
Florida Citrus Mutual

Florida Fruit & Vegetable Association
Georgia Green Industry Association
Great Lakes Ag Labor Services, LLC
H-2A Complete, Inc.
Idaho Apple Commission
Idaho Cherry Commission
Idaho Hop Growers Association
Idaho-Oregon Fruit and Vegetable Association
Illinois Green Industry Association
Labor Services International
Low Country Labor Company
Marsing Ag Labor Sponsoring Committee
Maryland Nursery, Landscape, and Greenhouse Association
MásLabor
Michigan Agricultural Cooperative Marketing Association
Michigan Apple Association
Michigan Farm Bureau
Michigan Nursery & Landscape Association
Mid Columbia Ag Services LLC
Minnesota Nursery & Landscape Association
Monterey County Farm Bureau (CA)
Mountain Plains Ag Service
National Association of State Departments of Agriculture
National Christmas Tree Association
National Council of Farmer Cooperatives
National Peach Council
National Potato Council
National Watermelon Association
New England Apple Council
New Jersey Nursery & Landscape Association
New York Apple Association
New York Farm Bureau
New York State Berry Growers
New York State Horticulture Society
New York State Vegetable Growers Association
North Carolina Christmas Tree Association
North Carolina Farm Bureau
North Carolina Nursery & Landscape Association
Northeast Dairy Producers Association
Northwest Horticultural Council
Oregon Association of Nurseries
Pennsylvania Apple Program

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Pennsylvania Landscape & Nursery Association
Snake River Farmers' Association
Southeastern Cotton Ginners Association
State Horticultural Association of Pennsylvania
Tennessee Nursery & Landscape Association
U.S. Apple Association
U.S. Sweet Potato Council
United Fresh Produce Association
USA FARMERS
Ventura County Agricultural Association (CA)
Virginia Apple Growers Association
Virginia Nursery & Landscape Association
Washington Growers League
Washington State Tree Fruit Association
West Virginia Nursery & Landscape Association
Western Growers

Additional Signatories-Farms and Businesses

A & B Costanza Farms LLC
A Duda & Sons
Agricultural Workforce Management Association (KY)
Allred Orchards (UT)
Battlefield Farms Inc. (VA)
Blaine Larsen Farms, Inc. (ID)
Bobrick Brothers, Inc. (NV)
Book-Ends Associates
BrightView Tree Company (CA)
Brock & Phillip Obendorf Farms, LLC
C C & P Farms, LLC
Cherry Hill Farms (ID)
Cline Church Nursery (NC)
CRU Cattle, Inc.
Driscoll Brothers Partnership
Farm Development Corporation
Fowers Fruit Ranch (UT)
Gehring Agri-Business
Grant 4D Farms
J.R. Simplot/Grand View Farms
Jensen & Son Inc.
Joe Rasch Orchards, Inc.
Laurel Springs Nursery, LLC (NC)

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Leitz Farms, LLC (MI)
Loosli Land & Cattle, Inc. (ID)
McMullin Orchards (UT)
MBG Marketing (MI)
Mercer Ranches (WA)
Mountain Valley Fruit (UT)
Nevada Onion, Inc.
Obendorf Hop, Inc.
Olson's Greenhouse Gardens, Inc. (CO)
Olson's Greenhouses of Colorado, LLC (CO)
Park Ranch, LLC
Peri & Sons Farms
Petrocco Farms (CO)
R&R Harvesting, Inc.
Riley Farms (UT)
RT Kandler, LLC
Russell Costanza Farms (MI)
Schroeder Hop, LLC
Schutter Seed Farm, Inc.
Scully Packing Company (CA)
SMH Cattle Company, LLC
South Shore Farms (UT)
Standlee Ag Resources
Talbot's Mountain Gold LLP (CO)
Tanimura & Antle Fresh Foods, Inc.
Taylor & Sons Farms, Inc.
Three Mile Canyon Farms, LLC
Tunupa Cattle
USA Farm Labor, Inc.
Wada Farms, Inc.
Washington Bulb Company
West Coast Tomato Growers
Nicholas K. Westendorf d/b/a 4L Farms
Wolfe Brothers, Inc.

cc: Rep. Rodney Frelinghuysen, Chairman, House Appropriations Committee
Rep. Nita Lowey, Ranking Member, House Appropriations Committee
Sen. Richard Shelby, Chairman, Senate Appropriations Committee
Sen. Patrick Leahy, Vice Chairman, Senate Appropriations Committee