

Dear ANLA Members and Lighthouse Grassroots Participants,

The nursery and landscape industry, and more broadly agriculture and small business in the United States, are in the middle of what can only be described as a perfect storm. The failure of Congress to reform our nation's broken immigration system has prompted the White House to transform policy through a series of enforcement-heavy administrative reforms. We now operate in an environment in which access to an adequate supply of labor is increasingly impossible, one in which the failure of comprehensive reform has given way to the enforcement of federal, state and local laws that threaten not only our livelihoods, but the backbone of our nation's economic prosperity. The green industry is especially vulnerable in view of the substantial need for seasonal and farm labor.

Whether waiting in queue for a table at their favorite restaurant for 45 minutes because tables have not been bussed, or dining on meats and vegetables that have been imported from China and Mexico, or being unable to afford professional services like landscaping, our detractors will soon learn that these workers are vital to sustaining the American way-of-life.

These new rules – most notably the new Social Security No-Match letter regulation – will confront many industry employers with a stark choice: follow reported no-matches through to resolution or firing the worker, or face mounting legal liability. The consequences of this approach could be devastating. As employers look to maintain a legal workforce, the demand and subsequent strain on existing temporary guest worker programs, such as H-2B and H-2A, will reach a fever pitch. Merely streamlining H-2B and H-2A through administrative reforms cannot address the problems inherent with these programs. We must compel Congress to act by encouraging holistic legislative reforms to both the H-2B and H-2A programs that are good for our industry and America.

Here is how you can make a difference. Contact your federally elected officials and urge them to finally enact necessary and lasting reforms. The key messages are simple:

- Immediate passage of a return worker exemption is critical to businesses that utilize the H-2B program. We must continue to advocate for a permanent extension of the repeat worker exemption. More broadly, ANLA supports an increase in the statutory cap to reflect the true market need for seasonal workers, a market based regulator to adjust the cap based on changing economic needs, and the resources necessary for the Departments of Labor, Homeland Security and State to administer the program. Urge your Senators and Representatives to look beyond a band-aid solution for a problem that only major surgery can cure.
- The agricultural labor crisis is very real, and will be coming soon to a dinner table or front yard near you. We depend on a labor force mostly feared to lack proper work authorization. Implementation of the no-match rules will be devastating. The only safety net is an aging, unreliable, expensive and litigious H-2A guest worker program that provides only two percent of the total farm workforce and is not the solution to our problem unless it is reformed. We must have Congressional action on bipartisan legislation that both stabilizes the current workforce,

and provides a long-term labor safety net through systematic reforms of the H-2A guest worker program. It is through the enactment of the AgJOBS Bill that the vulnerability of the agricultural sector can be mitigated so that American farms can continue to produce the fruit, vegetables, dairy, poultry, livestock, nursery and greenhouse products that will sustain our economy and limit our dependence on foreign agriculture.

While politicians spend most of their time in Washington collecting the funds necessary to maintain their jobs, they come home every year for a month in August to collect ideas and gauge public perception. Throughout the debate on Comprehensive Immigration Reform, members of Congress repeatedly told reform advocates that the anti-immigration response from their constituents was overwhelming. Even if these politicians wanted to do the right thing, their instinct for self-preservation would not allow them to support our position. So the debate became dominated by the most extreme and negative voices.

Do you want lawmakers like Alabama's Sen. Jeff Sessions to get away with calling every sensible approach to reform "amnesty?" Do you want Colorado Rep. Tom Tancredo to decide the future of your business? If not, you must persuade your own elected officials to support solutions, not just inaction or even worse, enforcement only.

Now is the time that we must reach out to our members of Congress with both our resolve and desperation. We must be the resounding gong amongst the clamoring of cymbals, imploring them to understand exactly what is at stake: thousands of small businesses, hundreds of thousands of both American and immigrant employees, our domestic supply of food and plants, and our nation's economic and physical security. Call, write and visit your members of Congress and tell them that we must have meaningful and permanent reforms to the H-2B program. We must have AgJOBS. Our livelihoods, and the American way-of-life, are hanging in the balance.