

December 15, 2023

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Republican Leader
United States Senate
Washington, D.C. 20510

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Leader Schumer, Leader McConnell, Speaker Johnson, and Leader Jeffries,

As the largest general farm organization in the United States, we humbly urge immediate congressional action to provide short-term wage relief to our hardworking farm families.

Specifically, the American Farm Bureau Federation (AFBF) urges a freeze of the current H-2A wage rates at January 2023 levels for the next three years. Additionally, we call for a rescission of the U.S. Department of Labor's *Adverse Effect Wage Rate Methodology for H-2A Employees in Non-range Occupations in the United States*. These actions must be advanced at the earliest possible opportunity.

Due to continued declines in availability of the domestic workforce, the H-2A program has become a critical avenue to secure a reliable labor force. In fact, certified H-2A positions reached 378,513 in FY2023. However, this growth does not convey how needlessly complex and expensive this program has become, chiefly due to unsustainable and unpredictable wage increases. In addition to program requirements to provide housing and transportation, H-2A employers must now contend with the sixth straight year of wildly elevated wage growth, rising another 6% in 2024 and outpacing the hourly wage growth for all other private employees. Farmers are committed to paying fair wages, but they cannot pay well beyond the means of their reduced farm incomes.

Furthermore, persistent congressional inaction has paved the way for an avalanche of misguided agency actions that overwhelm farmers and ranchers, especially small- and medium-sized growers. Eight different rulemakings for agricultural and H-2A employers have advanced at various stages within the past year. One of those rulemakings, finalized earlier this year, disaggregates wage rates by job function and derives the new rates from non-farm data. This data does not reflect the market wages for agricultural employees, yet farms and ranches will be required to pay them, regardless of their inaccuracies or what percentage of their contract they devote to those tasks. This new rulemaking alone will add double-digit increases in labor costs.

Farmers cannot afford to comply with these unfair rules, and many are now faced with decisions to scale back operations or cease production completely.

Our calls for modernization of our guest worker programs and stabilizing our existing workforce remain as fervent as ever, and we maintain that commitment to working with Congress to find a holistic solution. However, until Congress addresses this dire workforce issue for all of American agriculture, our farmers and ranchers require targeted relief. Freezing H-2A wages and addressing misguided agency rulemaking will provide a level of certainty that family farms desperately need at this time.

Without question, farmers value, appreciate and rely upon these men and women who are indispensable to our food supply chain. Our food security means our national security, and on this issue, the U.S. farm economy cannot sustain continued inaction by their own representatives in Congress. AFBF implores you to take these necessary actions before we slide toward greater reliance on foreign food imports, weaken our food security, and lose more family farms across the country.

Regards,

A handwritten signature in black ink, reading "Zippy Duvall". The signature is written in a cursive, flowing style with a large initial "Z".

Zippy Duvall
President