



September 4, 2026

The Honorable Jim Jordan
Chairman, Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Jordan:

On behalf of AmericanHort, the national association of the horticulture industry, headquartered in Columbus, Ohio, and our Ohio-based companies, we respectfully request the House Judiciary Committee work with House Agriculture Committee Chairman Glenn “G.T.” Thompson on H.R. 9535, the Securing Agriculture's Workforce Act (SAWA), and the H-2A Wage and program issues. Given the recent California ruling affecting the Department of Labor’s (DOL) October 2025 interim final rule (IFR), Congress must act to establish a workable and sustainable H-2A wage methodology. As you are aware, the U.S. District Court in the Eastern District of California ruled against the DOL in the *United Farm Workers, et al. v. DOL et al.* litigation on the Adverse Effect Wage Rate Methodology (AEWR) for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States IFR. The IFR was a big win for all agriculture, including the horticulture industry.

AmericanHort is the leading national trade association for the horticulture industry, representing 2,000 member businesses and nearly 22,000 of their team members across the country. Our membership spans greenhouse and nursery growers, breeders, garden retailers, interior and exterior landscape professionals, florists, educators, and suppliers. Together, the green industry generates more than \$500 billion in annual economic impact and supports roughly three million American jobs. **That footprint includes 268 member businesses employing 4,005 people in Ohio, making the green industry a significant part of the state's agricultural economy.**

Our members face a workforce crisis that they cannot solve on their own. America has lost more than 175,000 farms since 2017, with labor challenges being a driving force. Domestic workers are simply not applying for these jobs: in FY 2025, more than 415,000 agricultural jobs were advertised nationwide through the H-2A process, **yet only 182 domestic U.S. workers—less than 0.04 percent of jobs advertised—applied.** Employers must continue to recruit and hire qualified, available U.S. workers, but these numbers demonstrate that domestic recruitment alone is not producing the workforce American agriculture needs.

Much of horticulture is excluded from participation in the H-2A program because greenhouse and nursery operations frequently run year-round and cannot meet the program's strict “seasonal” requirement. Landscape work also falls outside the current definition of agricultural labor,

leaving landscape businesses dependent on the oversubscribed H-2B program. For those members who can use the program, it is complex, slow, and increasingly unaffordable.

AmericanHort was directly involved in turning those recommendations into legislation. Alongside our partners in the Agriculture Workforce Coalition, we collaborated closely with Chairman Thompson's staff throughout the drafting process and helped shape the discussion draft released in June 2026. The bill now has 60 cosponsors, including two members of the Judiciary Committee, and more than 550 organizations and grower operations have publicly endorsed it. This represents the first time a majority of American agriculture has united behind a single agricultural workforce reform bill.

For horticulture specifically, the bill would:

- Open the H-2A program to greenhouse and nursery operations by removing the outdated “seasonal” restriction, while keeping the requirement that work be temporary, with workers returning home before starting a new contract.
- Modernize the definition of agricultural labor to include horticultural installation, giving landscape businesses a workable alternative to the oversubscribed H-2B program.
- Simplify the program with a single online platform, clearer agency roles, three-year certifications, and staggered worker start dates.
- Codify the DOL’s 2025 AEWR methodology, estimated to save growers roughly \$17 billion over ten years, giving employers and workers a wage structure they can plan around.

The need for congressional action is more urgent with the federal court decision on the Trump Administration’s October 2025 wage rule. The court found the current methodology unlawful and directed the DOL to develop a replacement. Although the court did not immediately vacate the existing rule, employers may face retroactive wage adjustments after DOL establishes a new methodology.

This leaves American businesses and agriculture employers throughout the country being asked to sign contracts, set prices, and make planting and production decisions for next season without knowing what their highest operating cost will be. This is a familiar and destructive cycle: administrations rewrite H-2A wage rules, those rules are challenged in court, and agriculture employers are left to absorb the resulting uncertainty and risk. No regulation has provided growers with the durability necessary to make long-term business decisions. Only Congress can do that.

The recent ruling against the Trump Administration’s wage rule therefore underscores the need to move SAWA forward. We encourage you to work with House leadership, the Trump Administration, Chairman G.T. Thompson, and the agriculture industry to establish what is best and possible. By placing a clear and predictable wage methodology in federal law, Congress can supersede the unstable regulatory framework that produced the recent California ruling, render the underlying dispute over shifting administrative wage rules moot, and end a regulatory cycle that has persisted for decades.

We recognize and share your commitment to enforcing our immigration laws and protecting American workers on this national security issue.

Thank you for your consideration and for your leadership on the Committee. AmericanHort and its Ohio members would welcome the opportunity to meet with you or your staff on the current system and the reforms contained in H.R. 9535.

Sincerely,

AmericanHort
National Christmas Tree Association
Ohio Green Industry Association
Ohio Landscape Association

Ohio Companies in the 4th Congressional District of Ohio

2Plant International LLC	Powell, Ohio
Acorn Farms Inc	Galena, Ohio
Foertmeyer & Sons Greenhouse Co.	Delaware, Ohio
Mill Creek Plants Gardens	Ostrander, Ohio
Smith's Gardens Inc.	Delaware, Ohio

Ohio Companies

Agrinomix LLC/ AdeptAg	Oberlin, Ohio
Alchemy Greenhouse Solutions	Cincinnati, Ohio
Bench Farms SR2 LLC	Curtice, Ohio
Berns Greenhouse and Garden Center Inc.	Middletown, Ohio
Bluestone Perennials	Madison, Ohio
Bremec Garden Centers	Chesterland, Ohio
Brotzman's Nursery Inc.	Madison, Ohio
Corso's Horticulture	Sandusky, Ohio
Creque's Greenhouse	Sylvania, Ohio
Decker Nursery Inc.	Groveport, Ohio
Dutchman Tree Farms	Morrow, Ohio
Eagle Creek Wholesale	Mantua, Ohio
Fullmer's Landscaping Inc.	Dayton, Ohio
Graf's Garden Shop and Landscape	Akron, Ohio
Green Circle Growers	Oberlin, Ohio
Green Legacy	Orient, Ohio
Greenhouse Design LLC	Burbank, Ohio
J. Barker Landscaping Company	Bedford, Ohio
L&M Greenhousev LLC	Columbiana, Ohio
Madison Avenue Greenhouse	Painesville, Ohio
Natorp's Inc.	Mason, Ohio
Oakland Nursery	Columbus, Ohio

Petitti Family Farms
Petitti Garden Centers
Prospiant
Root 58 Greenhouse
Sugar Pines Farm
The Chef's Garden
The Cottage Gardens Inc.
The Siebenthaler Company
Timbuk Farms Inc.
Willoway Nurseries Inc.

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