

# HORT FLASH!!

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## Labor and Immigration Reform – Almost!

On April 19<sup>th</sup> we came close to getting H2A and Immigration reform. Senator Larry Craig has been looking for a bill that he could attach his AgJOBS bill to. He had been promised debate on it by the end of April by Bill Frist, Senate majority leader. The bus that was leaving at that time was the Special Appropriations bill to provide money for the war in Afghanistan and Iraq. The general feeling was attachments to that bill were a no-no. **However, the House had attached language providing for national standards for drivers licenses and for adding more fence along the Mexican border. So that opened the bill to immigration issues. Senator Barbara Mikulski of Maryland decided to attach her bill expanding the number of H2B quotas.** These typically get used up in the first few days of the year and the nurseries along the east coast were screaming for workers. Then Craig decided to introduce his bill and that led Senator Chambliss to introduce his bill too.

Craig's AgJOBS bill developed over many years of negotiation between Agriculture, organized labor, labor advocates and church groups. The Chambliss bill was pulled together very hurriedly this spring as an alternative that would satisfy the SouthEast and American Farm Bureau, who have trouble with anything that provides a permanent entry to the US. **AgJOBS supporters call it "earned adjustment of status", Chambliss supporters call it amnesty.** Both bills provide for H2A reform, with the Chambliss bill superior in that regard. Chambliss allows workers to stay in the country for nine years, and they must return to their home country and wait in line for a green card. If they are in a supervisory position, they may stay longer.

**Both bills were subject to a filibuster, so 60 votes were needed in the Senate to invoke cloture – shut off debate.** After extended debate, over a 24-hour period, the cloture votes were taken. Craig's AgJOBS received only 53 votes and the Chambliss bill only 21, so no vote was taken on either of the bills themselves.

So what will happen now? **Senator Craig is looking for another bill that he can attach AgJOBS to as an amendment.** We assume that Chambliss will do the same, and hopefully we can get one or the other this year. Some have suggested that the best of all worlds might be to have AgJOBS pass in the Senate and Chambliss in the House and then get the best of both in conference. While that is a possibility, it is also possible to get the worst of both in a conference bill, so that strategy is like playing Russian Roulette.

Which would benefit the New York fruit industry most? That depends on a grower's situation. To a big user of H2A, who doesn't need year round help, Chambliss may be the more beneficial. However, if a grower needs year round workers for growing or packing, or non-H2A pickers, then the Craig-AgJOBS is probably more beneficial. **Either is certainly far better than where we are now with a 75 % or so illegal work force, and no drivers licenses or insurance. The present situation is a disaster!**

## Director Search for the Cornell Migrant Program!

On May first, Cornell completed interviews of four candidates for the new Director of the Cornell Migrant Program. We participated in the four interviews for stakeholders. This program, which has been a thorn in the side of users of migrant labor for all of its 30-year history, has now been moved back to the College of Agriculture and Life Science (CALS) from the College of Human Ecology (CHE) where it has resided for over 20 years. The truth is no college wanted it. It's director has used the program to advance his own personal agenda centered on workers "rights", rather than language, housing, health services, etc. which workers say they want. **Because of complaints from agriculture over the years, an internal review committee was appointed with representatives from CALS, CHE, and ILR (Industrial and Labor Relations).** This committee conducted interviews around the state to give everyone a chance for input. It then published a report that recommended moving it back to CALS. Now "the agribusiness community" is being blamed for shutting down the program, when it really was Cornell's own Internal Review Committee. However, as this was happening, the CMP staff moved the \$600,000 state education funding from Cornell to Oneonta. With a new director on board, hopefully the Cornell Migrant Program can experience a rebirth and get headed in the right direction.

## CAFTA-DR – What's in it for us?

**The US Government has a penchant for running around the world negotiating trade agreements – and then forgetting to monitor them.** We then have to ask is the Central America + Dominican Republic Free Trade Agreement just another one of those things that looks good on paper, and then find out that the other side has snookered us again. Certainly NAFTA (the three party free trade agreement between Canada, Mexico and the U.S.) is an excellent example of poor trade management. It started out with a positive balance of trade for U.S. agriculture. But that turned negative in a hurry as both Canada and Mexico learned how to penetrate U.S. markets, and then turn around and keep U.S. products out of their countries. We have to look no further than Washington's efforts to build export markets in Mexico, only to be blocked at every turn by the Mexican apple growers.

We have to admit that CAFTA-DR does not appear to have any downside to it. **CAFTA-DR would eliminate the 25 % tariff to countries like Costa Rica.** We have lost 20 % market share in Costa Rica since they negotiated a free trade agreement with Chile a couple of years ago. Those countries do not produce apples, and they have had free access to the U.S. markets for years for their bananas, mangoes, and other tropical fruit. So this looks like it would level the playing field and be a win for the NY and US apple industries.

**However, that doesn't mean it will get through congress.** Congress is becoming increasingly wary of trade agreements as more of them head south. Also, the U.S. sugar industry is in direct competition with sugar production in that region and do have tariff protection, which they would lose with this agreement. So they are fighting like cornered tigers over this issue. The labor and environmental groups aren't exactly ecstatic over lowering tariffs on goods from countries where labor and environmental standards are not as high as ours. This one will be very interesting to watch. If congress fails to pass CAFTA-DR, the Bush administration will lose a lot of stature at the WTO. So watch for the administration to send their big guns out to push CAFTA-DR.

## **New York Farm Viability Institute – A Huge Opportunity!!**

In the last Hort Flash! a month ago we talked about the state budget and how it had \$3.38 M in it for the New York Farm Viability Institute. It is true that agriculture asked for \$5 M, but we never thought we could get anything like that in an extremely tight budget year. Now we have it and it is up to the NYFVI board to use it wisely. **That board is made up entirely of agricultural leaders, Jim Bittner President of the Hort Society, Larry Eckhardt, President of the NYS Vegetable Growers and John Lincoln, the chair, President of NY Farm Bureau to name a few.** That board will be meeting on May 11<sup>th</sup> for their first meeting since learning what their funding would be.

**The Hort Society submitted a Revitalization Plan for the New York Apple Industry to the NYFVI board at their March meeting.** In that we asked for \$254 K to support a Statewide Fruit Cornell Cooperative Extension Team. We also asked for \$250 K in matching funds for research – matching what growers contribute to the Apple Research and Development Program (ARDP), and \$500K for the NYAA for apple promotion. (We did not know at the time that the NYAA money would come as part of the Ag & Markets budget). Now that we know the NYFVI has adequate funding, the Hort Society will present a detailed plan from the ARDP board as to how they would recommend spending those research dollars. We believe we are the first industry to submit a proposal although we expect the Pro-Dairy program to submit one too. And probably others will too when they wake up to this opportunity.

**We need to thank the governor and our friends in the legislature, for recognizing the need and the opportunity to support New York agriculture.** Apparently in the NYFVI, we have the right vehicle to attract and control agricultural funding. Now the NYFVI board must demonstrate the prudent use of those funds.

## **Dr. “Des” O’Rourke Keynote Speaker At the Premier Forum!!**

Plans for the 2005 Premier Apple Forum are now complete. The theme is **Growing OUR Share of the U.S. Apple Business** and will focus on apple quality, increasing supermarket shelf space for Eastern apples and collaborating for profit. It will take place **June 27th & 28th** at the Holiday Inn, Carrier Circle in Syracuse, the site of last year’s Forum. **We are ecstatic to have Dr. Desmond O’Rourke from Pullman Washington as our Keynote speaker.** He is well known to many Eastern growers, having spoken several times at the US Apple Marketing Outlook Conference in Chicago. “Des” publishes The World Apple Report and is the most knowledgeable person on the world apple situation. He will give two talks – **“What’s Happening in Washington and China, and How Will It Affect the Eastern Apple Industry”** on Monday night and the second – **“Models for Industry Collaboration”** on Tuesday morning.

For information on the Forum call 315.787.2404 or E-mail [glamont1@rochester.rr.com](mailto:glamont1@rochester.rr.com)

## **NYSHS Executive Director Sets Retirement Date!**

George Lamont, NYSHS Executive Director for the past five years, notified the board at a recent meeting that he would like to retire from that position as of May 5<sup>th</sup>, 2006. A committee of the NYSHS Executive Committee and representatives of the NYAA and the ARDP have been appointed to consider how to best carry out the mission of the Hort Society in the future.

## NYSHS Leaps Into the 21<sup>st</sup> Century!!

Effective immediately we have a web site to help celebrate our 150<sup>th</sup> anniversary!!

Our address is [www.nyshs.org](http://www.nyshs.org) .

On it you will currently find eight buttons:

**About-** gives a description of the mission, history and activities of the Hort Society

**People** – Lists the Board of Directors and personnel

**Join** – Gives you the opportunity to fill out a membership application

**Links** – Will give links to Cornell Department of Horticulture and Geneva Station

**News-** Interesting news in the world of horticulture

**Events** – A calendar for the NY fruit industry

**Newsletters-** Archives of old Hort Flash!'s, etc.

**Legislative contacts** – All NY State and National Representatives contact info

**Coming soon** – a **Trader's Corner** -Members can list their 1938 Niagara duster for sale

There is still much to add to it, but it will grow as Karen has time to make those additions. It is hosted by the Cornell Department of Horticulture and we thank the Department Chair, Dr. Marvin Pritts and web master Craig Cramer for their assistance. Please check it out!

# NYSHS

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