

Row & Specialty Crop UPDATE



September 19, 2023

H-2A Notice of Proposed Rulemakings

1. The Department of Labor has released a Notice of Proposed Rulemaking titled "Enhancing Safeguards for Temporary Agricultural Workers in the United States." This NPRM outlines proposed changes to enhance protections for individuals employed in agriculture under the H-2A program.

Please be aware that the comment period for this NPRM will conclude at 11:59 PM ET on November 14, 2023. To find more information, including [FAQs](#) and the official [press release](#) regarding the NPRM, please click on the provided links.

2. The Department of Homeland Security (DHS) has unveiled a Notice of Proposed Rulemaking (NPRM) aimed at modernizing the H-2A and H-2B programs by enhancing safeguards for workers. DHS is suggesting substantial changes to restrict the imposition of certain fees on H-2A and H-2B workers, with potential consequences including approval bars for select H-2 petitions.

You can access the press release and a [pre-publication copy of the NPRM](#). The NPRM is set to be officially published on Wednesday, September 20th, and it will remain open for public comments for a period of 60 days after its Federal Register publication.



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