

Congress of the United States

Washington, DC 20515

November 14, 2023

The Honorable Julie A. Su
Acting Secretary
U.S. Department of Labor
200 Constitution Ave NW
Washington, DC 20210

Re: RIN 1205-AC12, Improving Protections for Workers in Temporary Agricultural Employment in the United States

Dear Acting Secretary Su:

We write in opposition to the September 12, 2023, proposed rule regarding farm workers in the H-2A program.

This proposed rule seems to be operating under the assumption that bad actors in the program are the rule and not the exception. Farmers rely on H-2A workers and often see the same workers come back each season. It is in no one's best interest to unfairly treat their workers.

The H-2A program plays a vital role in supporting our agriculture industry. Producers across the nation face a continued lack of reliable labor. Maintaining a strong and healthy domestic workforce is becoming more and more difficult for producers, causing them to increasingly turn to overseas workers to fill positions on their farms.

We hear from producers across our districts and the nation about the burdensome process of securing the needed H-2A workers to support our agriculture industry. This new proposed rule marks the third round of Department of Labor (DOL) regulation changes to the H-2A program in a year. In a time when farmers are faced with increased input costs and inflation, these changes are regulating the family farm out of existence by eating away at an already shrinking profit margin. If we want our nation's food and fiber to still be grown here in the United States in 20 years, we must stop inundating producers with burdensome new rules like this one.

We continue to see good farmers audited repeatedly, and many small farmers are not equipped to deal with increased regulations that continue to change. The current stream of new rules is not sustainable and will lead to small farms having to sell out to large corporations that are better equipped to navigate this ever-changing environment. If changes are not made, regulations such as this one will continue to force consolidation in the agriculture industry.

The proposed rule to "strengthen protections for temporary farm workers" misses the mark, creating additional burdens for farmers trying to navigate an already burdensome program. A streamlined H-2A program is not only critical for the agriculture industry but also for the states and communities that rely on agriculture business and labor.

Thank you for your consideration of American farmers and their dire labor situation. We welcome the opportunity to discuss the proposed rule and find long-term solutions to the agriculture worker shortage.

Sincerely,



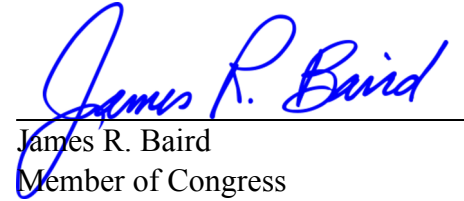
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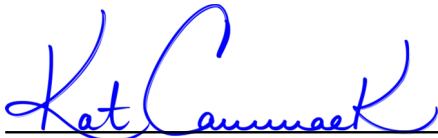
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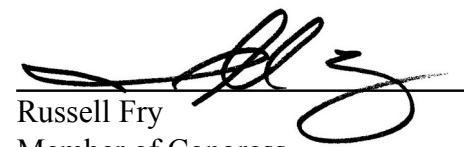
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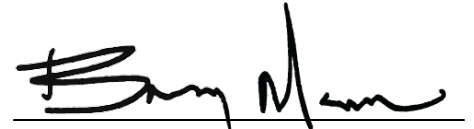



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Member of Congress

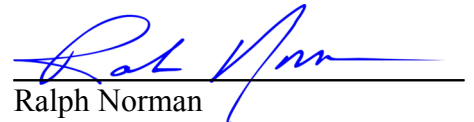


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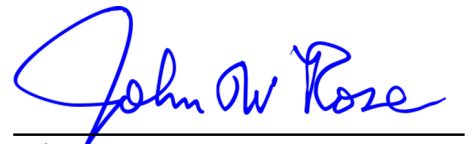

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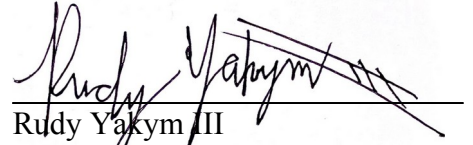

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