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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