

AG Fitch, Farm Bureau, and Chamber of Commerce Secure Injunction of Unconstitutional Biden-Harris H-2A Rule



This injunction is a significant win for farmers and ranchers across our nation. It is also a major victory for the rule of law. The Biden-Harris Administration attempted to sneak labor unions into agriculture – in direct contravention of federal law – and it has been stopped. We were pleased to work alongside the Farm Bureau and the Chamber of Commerce and remain committed to supporting the men and women who work the land and feed the nation.

Lynn Fitch

(Jackson, Mississippi) Today, Attorney General Lynn Fitch applauded an order of the U.S. District Court for the Southern District of Mississippi, halting nationwide enforcement of a rule amending H-2A visa program regulations that would have brought labor unions onto American farms and ranches. The lawsuit argued that the regulation is unconstitutional and beyond the Department of Labor’s (DOL) statutory authority and was filed with the Mississippi Farm Bureau Federation, Stone County (MS) Farm Bureau, American Farm Bureau Federation, Chamber of Commerce of the United States, and other representatives of the American agricultural community.

"This injunction is a significant win for farmers and ranchers across our nation. It is also a major victory for the rule of law," **said Attorney General Lynn Fitch.** "The Biden-Harris Administration attempted to sneak labor unions into agriculture – in direct contravention of federal law – and it has been stopped. We were pleased to work alongside the Farm Bureau and the Chamber of Commerce and remain committed to supporting the men and women who work the land and feed the nation."

In August, a ruling in a similar case, *Kansas v. U.S. Department of Labor*, found the rule unconstitutional and the district court enjoined DOL from enforcing the rule within 17 states. This week’s ruling applies nationwide. The court noted that it “does not see how the text ... affords [the Department of Labor] the broad delegation of authority it claims such as to allow it to provide collective rights to H-2A workers which would not otherwise be available to domestic agriculture workers. And the Court may not read such authority into the statute at [the federal government’s] behest.”

“On behalf of Mississippi’s and America’s farmers, we are proud that the United States District Court for the Southern District of Mississippi stopped the DOL’s overreach in regulating agricultural labor,” **said Mike McCormick,**

Mississippi Farm Bureau Federation President.

“The Labor Department’s onerous H-2A rule will make it difficult for American farmers and ranchers to meet their critical workforce needs. The rule was already enjoined in 17 states, and the nationwide stay of the labor provisions provides much needed relief to the regulatory confusion created by the Department,” **said Jon Baselice, Vice President, Immigration Policy, U.S. Chamber of Commerce.**

Read the full order [here](#).

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