March 20, 2009

Mr. Thomas Dowd, Administrator
Office of Policy Development and Research
Employment and Training Administration
U.S. Department of Labor
200 Constitution Ave., NW - Room N5641
Washington, DC 20210

RE: (RIN) 1205-AB55, **(Proposed Suspension of Final H2A Regulations)**

Dear Mr. Dowd,

I am a farmer in Granville County, North Carolina and I use the H2A program in order to have the labor that I need so that I can grow Hay, Straw, Tobacco. Here at my farm, we depend on the H-2A program for our temporary agricultural labor - and typically hire around 6 workers each year. Although I use the H-2A program at my farm, it is not a decision that I make lightly. Many factors go into my decision as to whether or not to grow Hay, Straw, Tobacco each year and whether I need 6 workers or not. And one important factor that I take into account is: What are the rules for using H-2A? When I made the decision to use H-2A this year, that decision was based on the final H-2A rules that were printed in the Federal Register on December 18, 2008 and which went into effect on January 17, 2009.

I spent careful time and consideration making my decision – weighing factors for months, yet I understand that after only a few hours of being sworn into office, Secretary Hilda Solis announced that the United States Department of Labor would like to suspend the current Final H-2A rules for 9 months and revert back to the old revised temporary Rules that were implemented back in 1987. For the new Secretary of Labor to propose that farmers should go back to the old revised temporary Rules shows a complete lack of understanding of the H-2A program and how farms like my farm operate. Apparently US-DOL feels that agriculture is an operation where the rules of the game can be changed with only a ten day notice – but to grow Hay, Straw, Tobacco in these tough economic times, I need a lot more notice if the rules of the game are going to change.

In the past, I always understood why many farmers in America did not use H-2A but instead used illegal workers - Farmers don't like government interference on the farm and we don't like the politics that get played with programs that affect our ability to grow crops and raise livestock. As a farmer from Granville County, North Carolina, I strongly encourage the United States Department of Labor and US Secretary of Labor Hilda Solice to not play politics with the people who put food on the kitchen table of every home in America. Do not suspend the Final H-2A rules and do not revert back to the old revised temporary rules – frankly, this American Farmer from Granville County, North Carolina deserves better treatment and more respect than this proposed action by the US-DOL.

Respectfully,

Russell Thomasson

Russell Thomasson -

CC: Senator Richard Burr, Senator Kay Hagan, Congressman G.K. Butterfield

P.S.
This government expects me to play by the rules, and I expect the government to play by the rules. You cant change the rules midstream with only ten days to comment just because the new secretary of labor dosen't like the current final H-2A rules. To flipflop from current final H2A rules back to the old revised temporary H2A rules while revised H2A rules are written is the verydefinition of changing the rules midstream. This proposal by USDOL is unnecessarily over

disruptive and confusing to farmers and shows the complete disregard and lack of appreciation that our country has for farmers.