H2A Update (written by Congressman Greg Seube’s office on Sunday, March 29, 2020)

This may be of interest.

USDA has been working diligently with DOL, DHS, and State to limit the disruption in the H-2A workforce caused by COVID-19. Today the State Department took additional steps to increase processing of H-2 visa holders through consulates around the world. USDA applauds these modifications and the expansion of interview waiver eligibility to ensure that the majority of H-2 processing can continue.

Specifically:

• Secretary Pompeo, in consultation with the Department of Homeland Security, has authorized consular officers to expand the categories of H-2 visa applicants whose applications can be adjudicated without an in-person interview.

• Consular officers can, if they so choose, now waive the visa interview requirement for first-time and returning H-2 applicants who have no potential ineligibility.

• This expansion also increases the period in which returning workers may qualify for an interview waiver. Applicants whose previous visas expired in the last 48 months (increased from 12 months), and who did not require a waiver of ineligibility the last time they applied, do not need to be interviewed in-person if they are applying for the same visa classification as their previous visa.

• We anticipate the vast majority of otherwise qualified H-2 applicants will now be adjudicated without an interview.

Attached you will find FAQs and a more complete summary. Guidance can be found onhttps://travel.state.gov/content/travel/en/News/visas-news/important-announcement-on-h2-visas.htm and is available at <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.farmers.gov_manage_h2a&d=DwIFaQ&c=sJ6xIWYx-zLMB3EPkvcnVg&r=6x5Bsf6VN00E93LzHNiF40sfxEaUy-U89eDkpF1CmOs&m=Oe_UKuVJu42Ibfuo3xI4DhEGjXERelzy5mlGLBehROs&s=7X7xjfGv753guyGD-CMSTWqEhAxP0AhNvRq7p6OwcYI&e=> . Please note: these activities relate to US Consular activities.

Where other countries have travel restrictions or lock down policies in place, Embassies generally operate by that local guidance. This may impact the application of this guidance. USDA encourages you to monitor the respective Embassy’s webpage for most up to date information.

USDA continues to work with DOL, DHS, and State to limit the disruption in the H-2A workforce while protecting the health and safety of federal employees and the individuals seeking entry under the H-2 programs. If there are specific labor related questions please email aglabor@usda.gov.