March 18, 2020

The Honorable Mike Pompeo

Secretary of State

2201 C Street, NW

Washington, DC 20520

The Honorable Chad Wolf

Acting Secretary of Homeland Security

3801 Nebraska Ave NW

Washington, DC 20016

The Honorable Eugene Scalia

Secretary of Labor

200 Constitution Ave NW
Washington, DC 20210

Dear Secretary Pompeo, Secretary Wolf, and Secretary Scalia,

We write to you today regarding the recent announcement from the U.S. Consulate in Mexico and other consulates that it will suspend routine immigrant and nonimmigrant visa services effective March 18, 2020. We greatly appreciate the subsequent announcement that H-2A visa applications of returning H-2A workers will still be processed and your respective agency’s continued efforts to address and accommodate this evolving issue. Nonetheless, we remain concerned that our farmers will not have the labor they need to keep food on the shelves at grocery stores across the nation.

We understand the importance of maintaining public health safety during this time and appreciate the Administration’s actions to minimize the impacts of the ongoing COVID-19 pandemic. However, there are substantial national security concerns that will arise should our farmers not have the labor they need.

Food security is national security. We believe suspending visa services that our farmers rely on will be detrimental to families across our nation trying to put food on the table. We also believe that protocols should be in place as H-2A applications are processed to help protect public health in the United States should COVID-19 cases increase in Mexico or other participating countries. With this in mind and during these truly challenging times, we respectfully ask you to:

1. Use all existing available authorities to provide maximum flexibility to consulate staff in the processing of H-2A visa applicants, while implementing protocols to protect public health.
2. Identify any current legal or logistical hurdles that may prevent your agencies from implementing additional flexibilities, such as developing a separate screening process or remote interviews, in processing H-2A visa applicants.
3. Provide an estimation of any costs associated with implementing any of the aforementioned actions.
4. Provide data on the number of H-2A petition beneficiaries nationwide and by state that are eligible for an interview waiver and will not be affected by these processing changes.

Thank you again for your leadership as our nation continues to combat COVID-19. We look forward to working with you on ensuring food security for America.

Sincerely,

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Richard Hudson Thom Tillis

Member of Congress United States Senator

Cc: Secretary Sonny Perdue, U.S. Department of Agriculture.