

December 13, 2021

The Honorable Antony J. Blinken
Secretary of State
2201 C Street, NW
Washington, DC 20520

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Department of Homeland Security
Washington, DC 20528

Dear Secretary Blinken and Secretary Mayorkas:

As agricultural stakeholders, we write to you to express concern with the recent “Proclamation on Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting Coronavirus Disease 2019,” which limits the travel of noncitizens from several countries, including South Africa, to the United States and “Proclamation on Advancing the Safe Resumption of Global Travel During the COVID-19 Pandemic,” which limits the entry into the United States to only those fully vaccinated with a CDC approved vaccine with limited exceptions.

Due to ongoing workforce shortages, American farmers use the H-2A guestworker visa program to fill vacant farm positions. Many of these H-2A workers have a unique skillset, and American farmers are counting on their timely arrival as they make plans for their upcoming growing seasons. The most recent data indicates that almost 7,000 of these valued essential workers originate from South Africa, and the majority of them arrive in the U.S. in February, March and April. Considering this, the State Department and Department of Homeland Security must act quickly to ensure these valuable H-2A workers can arrive on time on American farms in the coming months.

To ensure access to these essential members of the agricultural workforce, we request that H-2A workers coming to the United States be given a National Interest Exception, exempting them from these travel limitations, as outlined in the proclamations as an exception to the travel restrictions. This request is bolstered by the Cybersecurity and Infrastructure Security Agency designation of food and agricultural workers as essential during the pandemic. While protecting our nation from new variants of COVID-19 is critically important, it is in our national interest to ensure production of food, fuel and fiber. Considering the severe supply chain disruptions taking place, losing access to key employees who originate from these countries because of travel restrictions would further limit agriculture’s ability to grow safe and nutritious food. Furthermore, it is critical the U.S. embassies in these countries have the appropriate resources to process H-2A visas and conduct necessary interviews and appointments before H-2A workers can travel to the United States.

Should H-2A visa processing not function appropriately in the H-2A workers’ home countries, the most recent travel restriction creates a scenario in which H-2A workers from countries subject to the proclamation suspending entry will travel to nonrestricted countries and quarantine for 14 days in other nations that will allow them to enter the United States provided they are compliant with the recent vaccination and testing protocols announced last month. Given H-2A requirements that require agricultural employers to pay travel expenses for H-2A workers, farmers will bear the financial burden of paying for added travel, housing and per diems for these

employees so they can eventually enter the United States. Furthermore, this approach does not curb the global spread of COVID-19 or minimize the impact of new variants around the world. Additionally, if there is not an exemption put in place for those H-2A workers who have yet to be vaccinated in their home countries, or vaccinated but with a non-CDC approved vaccine, it will further limit the ability for H-2A workers to travel to the United States. With the safety measures put in place recently regarding testing within a day of travel, these workers can safely enter the United States and be vaccinated here with a CDC approved vaccine, ensuring the agricultural workforce is protected and able to continue the essential tasks of ensuring the United States supply chain is functioning.

Instead of imposing travel bans that prevent critically needed H-2A workers from traveling to American farms or lead to added transportation costs that do not achieve COVID mitigation goals, farmers, H-2A workers, the Department of Homeland Security and the State Department should work together to allow workers taking appropriate health and safety precautions to travel to the United States directly from their home countries.

The agriculture industry appreciates your consideration of this request and stands ready to assist the Biden administration in working within existing procedures to exempt H-2A workers from the travel limitations described in the “Proclamation on Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting Coronavirus Disease 2019.”

Sincerely,

Agricultural Council of Arkansas

Alabama Farmers Federation

American Farm Bureau Federation

American Seed Trade Association

American Soybean Association

American Sugar Cane League

AmericanHort

Area III Colorado Potato Growers

Arizona Farm Bureau

Arkansas Farm Bureau

Arkansas Rice Federation

Colorado Farm Bureau

Delaware Farm Bureau

Delta Council
Empire State Potato Growers
First South Farm Credit
Florida Farm Bureau Federation
Georgia Agribusiness Council
Georgia Farm Bureau
Georgia Fruit and Vegetable Association
Great Lakes Ag Labor Services
Idaho Potato Commission
Indiana Farm Bureau
Kansas Cooperative Council
Kansas Farm Bureau
Louisiana Cotton & Grain Association
Louisiana Farm Bureau Federation
Michigan Farm Bureau
Michigan Processing Apple Growers
Michigan Processing Asparagus Growers
Minnesota Farm Bureau
Mississippi Farm Bureau Federation
Mississippi Rice Council
National Association of Wheat Growers
National Cattlemen's Beef Association
National Cotton Council
National Council of Agricultural Employers
National Council of Farmer Cooperatives
National Potato Council

Nebraska Cooperative Council
Nebraska Farm Bureau Federation
New Mexico Farm & Livestock Bureau
New York Farm Bureau
North Carolina Farm Bureau
North Dakota Corn Growers Association
North Dakota Farm Bureau
North Dakota Grain Growers Association
Northern Plains Potato Growers Association
Pennsylvania Farm Bureau
Potato Growers of Michigan, Inc
South Dakota Farm Bureau
Texas Corn Producers
Texas Farm Bureau
U.S. Apple Association
U.S. Durum Growers Association
United Fresh Produce Association
USA Farmers
USA Rice
Vermont Farm Bureau
Western Growers
Wisconsin Potato & Vegetable Growers Association
Wyoming Farm Bureau