

December 17, 2025

The Honorable Marco Rubio
Secretary
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20451

The Honorable Kristi Noem
Secretary
U.S. Department of Homeland Security
2801 Nebraska Avenue N.W.
Washington, D.C. 20528

Dear Secretary Rubio and Secretary Noem:

We write to bring your attention to the significant increase in instances of consular administrative processing which is causing disruptive delays for fruit and vegetable growers at a critical stage of the H-2A visa approval process. Respectfully, we seek clarity regarding the reasons for increased scrutiny of agricultural employers and request that H-2A visa applications undergoing administrative processing receive priority in the review process.

Farmers across the country have become increasingly reliant on the H-2A program to produce and harvest perishable fruits and vegetables due to the lack of a domestic workforce. Recently, employers attempting to bring H-2A workers into the country have experienced costly delays as entire crews have been placed under administrative processing by consular officers.¹ Last week, for example, a Florida employer estimated losing \$25,000 in strawberries for each day its workforce remained in administrative processing. A California employer amassed more than \$100,000 in unexpected food and lodging expenses while workers had extended stays in consular cities.

These delays seem to disproportionately impact H-2A labor contractors (H-2ALC) who often provide services to multiple farms under a single H-2A job order. In these cases, U.S. Department of State officials contact individual farm owners to verify the H-2ALC's job order, despite the H-2ALC's contracts with the growers having been submitted to the U.S. Department of Labor prior to certification of the H-2A application.

Though the H-2A approval process is fraught with opportunities for delay, the Trump Administration has demonstrated its commitment to ensuring growers have reliable access to the program by implementing several key improvements, such as resuming labor certifications during the recent lapse in appropriations,² streamlining petition processing,³ and providing interview waivers for returning workers.⁴ Yet, the sudden rise in administrative processing, coupled with its prolonged delays and lack of transparency, undermine these improvements and threaten U.S. agricultural production.

¹ While administrative processing originates with consular officers at the U.S. Department of State, we understand that applications are frequently returned to U.S. Citizenship and Immigration Services for further review.

² U.S. Dep't of Labor, *Plan for the Continuation of Limited Activities During a Lapse in Appropriations* (Oct. 31, 2025), <https://www.dol.gov/sites/dolgov/files/general/plans/dol-contingency-plan.pdf>.

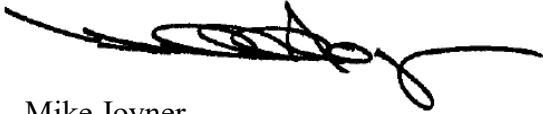
³ Facilitating Earlier Filing of Certain Electronically Submitted H-2A Petitions, 90 Fed. Reg. 47507 (Oct. 2, 2025).

⁴ Interview Waiver Update September 18, 2025, U.S. Dep't of State (Sept. 18, 2025), <https://travel.state.gov/content/travel/en/News/visas-news/interview-waiver-update-sept-18-2025.html>.

We recognize and support your agencies' important functions of ensuring job opportunities are legitimate, visa applicants are both qualified and protected, and ultimately, that our nation is secure. We simply ask your departments to exercise their authority judiciously, as constant, protracted delays risk the nation's food security and, by extension, its national security.

Thank you for your attention to this critical matter.

Sincerely,



Mike Joyner
President
Florida Fruit & Vegetable Association



Michael Marsh
President & CEO
National Council of Agricultural Employers



Dave Puglia
President & CEO
Western Growers Association

CC: The Honorable Lori Chavez DeRemer, Secretary, U.S. Department of Labor
The Honorable Brooke Rollins, Secretary, U.S. Department of Agriculture