



**U.S. Citizenship
and Immigration
Services**

June 29, 2016

Jamie Clover Adams
Director
Department of Agriculture and
Rural Development
Constitution Hall
P.O. Box 30017
Lansing, MI 48909

Dear Ms. Adams:

Thank you for your May 27, 2016 letter regarding the processing of H-2A petitions.

U.S. Citizenship and Immigration Services (USCIS) understands the time-sensitive nature of agricultural work and makes every effort to provide timely adjudications of H-2A petitions. Since 2007, the adjudication of Form I-129, Petition for a Nonimmigrant Worker, when filed by petitioners seeking H-2A classification for their workers, has been centralized at the USCIS California Service Center (CSC) and prioritized for expedited processing. This practice, although not required by law, was instituted by USCIS as a customer service initiative, intended to provide agricultural employers with an orderly and timely flow of workers, without requiring payment of additional fees for an expedited decision. It remains a priority of USCIS to continue to adjudicate these cases expeditiously in a manner consistent with the law.

As noted in your letter, USCIS recently announced a collaborative partnership with Department of State (DOS) to further streamline the petition process, introducing efficiency gains to the scheduling of interviews for H-2A visa applicants. Known as "e-Approval," this process allows USCIS to electronically send approval information for H-2A petitions to DOS by the end of the next business day. DOS will accept this electronic information in place of a Form I-797 approval notice and allow its consular posts to proceed with processing an H-2A nonimmigrant visa application. Petitioners are not charged any additional fees for this process.

Since May 11, 2016, USCIS has also been using pre-paid mailers provided by petitioners to send receipt notices for H-2A petitions. This represents a change in standard operating procedures at USCIS service centers, which normally use pre-paid mailers only for final decision notices. USCIS revised how it processes pre-paid mailers for H-2A petitions in recognition of stakeholder interest in expediting the delivery of receipt notices for this very time-sensitive

classification. Under this change, H-2A petitioners may now submit two pre-paid mailers if they want to expedite delivery of both the receipt notice and the final decision notice.

Both the e-Approval process and the updated pre-paid mailer procedure highlight USCIS' ongoing interest in introducing efficiency gains to the H-2A program. USCIS appreciates your suggestion of utilizing pre-paid mailers to send requests for evidence and will assess whether this change is possible when examining ways to further streamline the H-2A process.

Thank you again for your letter and interest in this important issue. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "León Rodríguez", written in a cursive style.

León Rodríguez
Director