



August 13, 2025

Marco Rubio  
Secretary of State  
U.S. Department of State  
2201 C St. NW  
Washington, DC 20520

Kristi Noem  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Ave. SE  
Washington, DC 20528

Dear Secretary Rubio and Secretary Noem:

Farming is a tough, time-sensitive job. The farmer must know when to prepare, plant, work, harvest and plan for the next season. As it becomes increasingly difficult for farmers to find ready, willing, able and qualified domestic labor to help them complete the countless tasks it takes to grow food, knowing when to prepare to hire and process H-2A temporary agricultural workers is an increasingly critical element of that time-sensitive work. It is about this element that we write to you today.

The National Council of Agricultural Employers (NCAE) is the national association focusing on agricultural labor issues from the employer's viewpoint. NCAE members are farmers and ranchers involved in labor intensive agricultural production, associations, agents, attorneys, farm labor contractors and others whose business interests revolve around agricultural employer issues. NCAE's members employ and pay approximately 85% of all agricultural labor payroll in the United States. Likewise, our members hire more than 90% of all H-2A workers employed on temporary or seasonal visas.

In July, the Department of State issued a statement that certain categories of applicants would lose their eligibility for interview waivers effective September 2<sup>nd</sup>.<sup>1</sup> To the agricultural community's surprise, H-2A Temporary Agricultural Workers were not among the categories listed as exempt from this update. This update is deeply concerning to NCAE and the agricultural community at large. We are hopeful that H-2A workers were omitted in error. If this omission is not an oversight, we are concerned it may deviate from President Trump's stance on protecting America's farmers and ranchers.

When the interview waiver authorities were expanded under the first Trump administration, that expansion, "transformed the Department's ability to process nonimmigrant visas securely and efficiently," allowing the Department of State (State) to balance the needs of national security, visa demands, and departmental resources.<sup>2</sup> Since that waiver was established, State and the Department of Homeland Security (DHS) have agreed that it is in the national interest to waive interviews for H-2 applicants. America's ability to feed itself is integral to our national security. Food security *is* national security.

Even in the 21<sup>st</sup> century, farming involves a fine balance of the elements, particularly time. Planting too early or too late in the season can be detrimental to the farm's output. The same for harvesting and many other activities that are inherent to agriculture. Even when timing is perfect, delays due to Mother Nature can send a whole year or many years into chaos.

For America's farmers and ranchers, the ability to get critical agricultural workers to their farms and ranches in a timely fashion is critical to the farm's success and their ability to continue farming for another season. The threat of a delay in attaining the workforce is an existential threat to America's agricultural—even a small delay can throw the rest of the season into calamity. Should H-2A Temporary Agricultural Workers be stuck among a backlog of visa applicants, crops will go unplanted, unmaintained and unharvested to rot in the field.

As farmers and ranchers are increasingly pushed to look overseas for ready, willing, able and qualified labor, so does the demand for H-2A visas. America's H-2A visa demand has increased consistently since Fiscal Year 2014.<sup>3</sup> Without dramatic change to State's ability to conduct interviews, it is hard to imagine the situation this omission would create for State visa adjudicators and support staff at the consulates.

America's farmers and ranchers share the Trump administration's concern about national security. However, this single processing change puts the nation's security at risk. America's farmers and ranchers grow and produce the best, most sustainable and nutritious food in the

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<sup>1</sup> <https://travel.state.gov/content/travel/en/News/visas-news/interview-waiver-update-july-25-2025.html>

<sup>2</sup> <https://www.state.gov/wp-content/uploads/2024/09/Report-1-A-Plan-to-Address-H-2A-Visa-Application-Renewals-005989-Accessible-8.19.2024.pdf>

<sup>3</sup> <https://www.ncaeonline.org/resources/data-and-statistics/>

world and Americans nationwide should be able to find that American grown and produced food in grocery stores. The removal of this wavier creates an additional barrier to America's farmers and ranchers accomplishing that goal.

We look forward to our continued conversation and collaboration to ensure that American agriculture thrives.

Very truly yours,



Michael Marsh  
President and CEO

CC:

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