



United States Department of State

Washington, D.C. 20520

April 25, 2022

The Honorable
Jon Ossoff
United States Senate
Washington DC 20510

Dear Senator Ossoff:

Thank you for your March 1 letter to Secretary Blinken, Secretary Mayorkas, and Secretary Walsh regarding your concerns about worker protections within the H-2A visa program. The Department of State greatly appreciates your continued advocacy on behalf of farmworkers and your efforts to protect farmworkers across the United States from human rights abuses.

On December 3, 2021, President Biden released the updated National Action Plan to Combat Human Trafficking. The National Action Plan outlines a three-year comprehensive plan for a whole-of-government approach to combat human trafficking, including actions to strengthen prosecution of traffickers, enhance victim protections, and prevent trafficking from occurring within our borders and abroad. The federal agencies of the President's Interagency Task Force to Monitor and Combat Trafficking in Persons, a statutorily created cabinet-level task force, are committed to implementing the National Action Plan consistent with their roles and authorities, individually and collaboratively. The National Action Plan also calls for the Department of Homeland Security (DHS), the Department of Labor (DOL), and the Department of State to identify what procedural improvements can help temporary foreign workers leave potentially exploitative situations while retaining a means of employment. If the improvements that can be identified are insufficient, agencies will recommend statutory changes to Congress.

The Department documents through the Trafficking in Persons Report to Congress longstanding concerns related to oversight of temporary employment-based and other nonimmigrant visa programs, including the H-2A visa program, as well as structural conditions embedded in certain visa programs that enable human traffickers to maintain control of noncitizen workers. The Department seeks to

prevent and combat the exploitation and abuse of foreign workers and associated fraudulent activities that may arise with work petitions and labor certifications.

One key component to deter the abuse of foreign workers is large-scale, targeted outreach efforts to communities and populations from which H-2A workers have historically come. In addition to the creation and airing of outreach videos on television and online, and providing information proactively on consular section websites, consular sections in our Embassies and Consulates in Mexico and Central America run ads on local radio stations, engage through social media, and conduct in-person outreach events focused on anti-fraud messaging. Consular officers are required by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to provide specific information (English version of the Wilberforce pamphlet), which is attached, to all seasonal workers that details comprehensive information about their rights.

The Department strongly supports the work done by the Department of Justice and other colleagues. It was the Department's Bureau of Consular Affairs, working with Diplomatic Security, that noted indications of unlawful activity and developed the information upon which Operation Blooming Onion is based. Diplomatic Security continues to play an active law enforcement and leadership role in that operation. The Department coordinates this information sharing with our partners through the Kentucky Consular Center, which houses a large fraud prevention unit, a Diplomatic Security office, and an office of the Department of Homeland Security's Fraud Detection and National Security Directorate and communicates directly with DOL on these issues.

The Department continues to investigate multiple individuals and entities related to the Operation Blooming Onion case, in cooperation with external law enforcement agencies. The Department remains committed to collaborating with DHS and DOL on these matters by returning suspicious work petitions to DHS, notifying DOL of labor violations, and requesting site visits to investigate fraud concerns, among other actions.

We hope this information is helpful to you. Please let us know if we may be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads "David Bonine". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke at the end.

David Bonine
Senior Bureau Official
Bureau of Legislative Affairs

Enclosure: As Stated.