

<b>EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D. C. 20210</b>	<b>CLASSIFICATION</b> H-2A Program
	<b>CORRESPONDENCE SYMBOL</b> OFLC
	<b>ISSUE DATE</b> February 12, 2007

**ADVISORY: FOREIGN LABOR CERTIFICATION  
TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 16-06**

**TO: OFLC-NATIONAL PROCESSING CENTER DIRECTORS  
STATE WORKFORCE AGENCY ADMINISTRATORS**

**FROM: EMILY STOVER DeROCCO /s/  
Assistant Secretary for Employment and Training**

**SUBJECT: Special Procedures for Processing H-2A Applications for  
Multi-State Custom Combine Owners/Operators**

1. **Purpose.** To update guidance to reflect the processing of H-2A applications through ETA's National Processing Centers and outline special procedures as part of the labor certification process for multi-state custom combine owners/operators, including Canadian, who desire to employ temporary foreign workers as members of their respective custom combine crews in the United States.
2. **References.** 20 C.F.R. Part 655, Subpart B; 20 C.F.R. Part 653, Subparts B and F; 20 C.F.R. Part 654, Subpart E; and Field Memorandum (FM) 5-04, Special Procedures: Labor Certification for Processing Applications for Multi-State Custom Combine Owner/Operators (January 28, 2004).
3. **Background.** The custom combine grain harvesting activity has been designated by the U.S. Department of Labor as a major crop activity because of its importance to the national economy. 20 C.F.R. 655.93(c) provides the Department with the authority to continue and, where appropriate, revise special procedures in effect for the handling of applications for custom combine crews. Historically, H-2A applications for custom combine owners/operators were processed through the Employment and Training Administration's (ETA) Regional Offices.

<b>RESCISSIONS</b> FM 5-04	<b>EXPIRATION DATE</b> Continuing
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