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5 Caribbean Countries Eligible for U.S. H-2A and H-2B Visa Programs Allowing Foreign Nationals to Work in U.S. Legally

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WASHINGTON, CMC – The Trump administration in the United States has listed five Caribbean countries among 84 countries worldwide that are eligible for H-2A and H-2B visa programs that allow US employers to bring foreign nationals to the US to fill temporary agricultural and nonagricultural jobs, respectively.

US Citizenship and Immigration Services (USCIS) and the Department of Homeland Security (DHS), in consultation with the Department of State (DOS), said the five Caribbean countries are eligible to participate in the programmes in 2020.

The Caribbean countries are: Barbados, Dominican Republic, Grenada, Jamaica, and St. Vincent and the Grenadines.

But USCIS said while the Dominican Republic is eligible to participate in the H-2A program, it is not eligible to participate in the H-2B program.

For 2020, USCIS said the acting DHS has determined, with the concurrence of the Office of the Secretary of State, that the countries designated as eligible in 2019 will remain unchanged.

“DHS maintains its authority to add countries to the eligible countries list at any time, and to remove any country whenever DHS and DOS determine that a country fails to meet the requirements for continued designation,” said USCIS in a statement.

It said examples of factors that could result in the exclusion of a country or the removal of a country from the list include fraud, abuse, denial rates, overstay rates, human trafficking concerns, and other forms of noncompliance with the terms and conditions of the H-2 visa programs by nationals of that country.

Typically, USCIS said it approves H-2A and H-2B petitions only for nationals of countries that the DHS secretary has designated as eligible to participate in the programs.

However, USCIS said it may approve H-2A and H-2B petitions, including those that were pending as of the date of the Federal Register notice, for nationals of countries not on the list on a case-by-case basis “only if doing so is determined to be in the interest of the United States.”

USCIS said the list does not affect the status of H-2 beneficiaries who currently are in the United States, “unless they apply to extend their status.”

It also said that the list does apply to nonimmigrants changing status in the United States to H-2A or B.

“Each country’s designation is valid, subject to removal for failure to meet the requirements for continued designation, from Jan. 19, 2020, until Jan. 18, 2021,” USCIS said.