

Section 2. Complete This Section If Filing for H-2A or H-2B Classification (continued)

Other Violations

For **Item Numbers 14. - 19.**, determinations of violations include those against you (the petitioner), any person or entity to which you are a successor in interest, or any individual who was acting on your behalf. For **Item Number 15.**, **Item Number 17.**, and **Item Number 19.**, determinations of violations also include those against any employee who an H-2A or H-2B worker would reasonably believe is acting on your behalf. **See the form Instructions for information about how USCIS will use your responses in adjudicating your H-2 petition.**

14. Are you currently subject to any debarment order by the U.S. Department of Labor (or, if applicable, the Governor of Guam)? ☐ Yes ☐ No

If you answered "Yes" to **Item Number 14.**, you must submit a complete copy of the final notice of debarment or administrative determination(s).

15. Within the last 3 years, have you had an approved temporary labor certification revoked by the U.S. Department of Labor (or, if applicable, the Guam Department of Labor) or have you been the subject of any administrative sanction or remedy, including a debarment that has concluded or an assessment of civil money penalties? ☐ Yes ☐ No

If you answered "Yes" to **Item Number 15.**, you must submit a complete copy of the final administrative determination(s).

16. Within the last 3 years, have you been the subject of a final USCIS denial or revocation decision with respect to a prior H-2A or H-2B petition that included a finding of fraud or willful misrepresentation of a material fact? (A final USCIS denial or revocation decision means that there is no pending administrative appeal or that the time for filing a timely administrative appeal has elapsed.) ☐ Yes ☐ No

If you answered "Yes" to **Item Number 16.**, you must submit a complete copy of the final USCIS decision(s).

17. Within the last 3 years, have you been the subject of a final USCIS decision revoking the approval of a prior petition that includes one or more of the following findings: the beneficiary was not employed by the petitioner in the capacity specified in the petition; the statement of facts contained in the petition or on the application for a temporary labor certification was not true and correct, or was inaccurate; the petitioner violated terms and conditions of the approved petition; or the petitioner violated requirements of the Immigration and Nationality Act (INA) section 101(a)(15)(H) or paragraph (h) of this section? (A final USCIS denial or revocation decision means that there is no pending administrative appeal and that the time for filing a timely administrative appeal has elapsed.) ☐ Yes ☐ No

If you answered "Yes" to **Item Number 17.**, you must submit a complete copy of the final USCIS decision(s).

18. Within the last 3 years, have you been the subject of a final determination of violation(s) under INA section 274(a), 8 U.S.C. 1324(a)? ("Bringing in and Harboring Certain Aliens," "Criminal Penalties.") ☐ Yes ☐ No

If you answered "Yes" to **Item Number 18.**, you must submit a complete copy of the final determination of violation(s).

19. Within the last 3 years, have you been the subject of any final administrative or judicial determination, other than ones described in **Item Numbers 14. - 18.** above, finding a violation of any applicable employment-related laws or regulations, including health and safety laws or regulations? ☐ Yes ☐ No

If you answered "Yes" to **Item Number 19.**, you must submit a complete copy of the final administrative or judicial determination(s).

H-2A and H-2B Petitioner and Employer Obligations

20. The H-2A/H-2B petitioner and each employer consent to allow Government access to all sites where the labor is being or will be performed, as well as housing sites for H-2A workers, for the purpose of determining compliance with H-2A/H-2B requirements. The petitioner and each employer agree to allow USCIS to conduct interviews of employees and any other individuals possessing pertinent information, which may be conducted in the absence of the employer or the employer's representatives and, if feasible, at a neutral location agreed to by the employee and USCIS. The petitioner and each employer understand that USCIS's inability to verify facts, including due to the failure or refusal of the petitioner or employer to cooperate in an inspection or other compliance review, may result in denial or revocation of the H-2A or H-2B petition. ☐ Yes ☐ No