



**Issue Date: 18 February 2021**

**BALCA Case No.: 2021-TLC-00068**

ETA Case No.: H-300-20323-918481

*In the Matter of:*

**DELL RIDGE FARM, LLC**

*Employer*

**ORDER GRANTING MOTION TO REMAND**

This proceeding arises under the temporary agricultural labor or services provision of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101(a)(15)(H)(ii)(a), and the associated regulations promulgated by the United States Department of Labor (“DOL” or the “Department”) at 20 C.F.R. Part 655. The H-2A nonimmigrant visa program enables United States agricultural employers to employ foreign workers on a temporary basis to perform agricultural labor or services. 8 U.S.C. § 1101(a)(15)(H)(ii)(a); *see also* 8 U.S.C. §§ 1184(c)(1) and 1188. Employers who seek to hire foreign workers through this program must first apply for and receive a “labor certification” from the Department. 8 U.S.C. § 1188(a)(1); 8 C.F.R. § 214.2 (h)(5)(A).

On February 18, 2021, counsel for the Certifying Officer (“CO”) advised that the parties have reached an agreement and consequently filed the Certifying Officer’s Motion to Remand (“Motion”). The Motion states that the case should be remanded to the CO for further processing, and that Employer’s counsel has no objection to the granting of the Motion.

Accordingly, good cause having been shown, **IT IS HEREBY ORDERED** that this matter is **REMANDED**.

**SO ORDERED.**

**SCOTT R. MORRIS**

Administrative Law Judge

Cherry Hill, New Jersey