















H-2A Agricultural Clearance Order  
Form ETA-790/790A – General Instructions  
U.S. Department of Labor



will be providing workers. If work will not be performed at additional places of employment other than the address listed in items 1 through 5 above, select "N/A."

**Section D**  
**Housing Information**

1. Enter the street address of the location where the housing for workers is located. Use commonly understood street or highway numbers and names. For applications involving agricultural labor or services on work itineraries where the use of mobile housing is permitted, enter the nearest geographic location of the mobile housing unit where it resides at the time of filing the Form ETA-790A.
2. Enter the city in which the housing is located.
3. Enter the State/District/Territory in which the housing is located.
4. Enter the postal (zip) code in which the housing is located.
5. Enter the county in which the housing is located.
6. Identify the type of housing that will be provided to workers at this location by indicating either employer-provided, which includes mobile or range units, or rental or public accommodations. Mark only one box.
7. Enter the total number of housing units available to house workers at this location.
8. Enter the total occupancy capacity for all of the housing units identified in Item 7 above.
9. Select from the following options to identify each entity that has determined, or will determine before certification, that the housing identified in Items D.1-8 meets all applicable standards, as required. Check all boxes applicable. **Reminder:** The CO cannot issue certification unless and until the employer submits evidence in connection with the Form ETA-9142A that all housing provided or secured for workers meets applicable standards.

- Local Authority:** Select this option if "rental or public accommodations" is selected in Item D.6 and a local authority has determined or will determine compliance. **Note:** The employer must submit a copy of the inspection report, certification, or other official documentation from the local authority to the CO. This documentation may include, but is not limited to, a certificate from the local Department of Health or building department (e.g., the current certificate of occupancy). See 20 CFR 655.122(d)(1)(ii) and (d)(6)(iii).
- SWA:** Select this option if either "employer-provided" or "rental or public accommodations" is selected in Item D.6 and the SWA has determined or will determine compliance. Select this option where the SWA has inspected or will inspect the housing itself or through a local, State, or Federal authority that the SWA engages. **Note:** The employer must submit a copy of the SWA inspection report or certification to the CO. See 20 CFR 655.122(d)(1)(i) and (d)(6)(ii); see also 20 CFR 655.230 and .304. If the employer is an H-2A Labor Contractor and will use housing owned, operated, or secured by one or more fixed-site agricultural businesses, the employer must secure a written statement from each of the fixed-site agricultural businesses stating that "[a]ll housing used by workers and owned, operated, or secured by [it] complies with the applicable housing standards in 20 CFR 655.122(d) and, if applicable, 655.235 or 655.304" and attach to this statement a copy of the SWA certification. See Form ETA-9142A, Appendix A, Section B.16(v).
- Other State Authority:** Select this option if "rental or public accommodations" is selected in Item D.6 and a State authority other than the SWA has determined or will determine compliance. **Note:** The employer must submit a copy of the inspection report, certification, or other official documentation from the state authority to the CO. This documentation may include, but is not limited to, a certificate from the State Department of Health (e.g., the current certificate of occupancy). See 20 CFR 655.122(d)(1)(ii) and (d)(6)(iii).
- Federal Authority:** Select this option if "rental or public accommodations" is selected in Item D.6 and a Federal authority has determined or will determine compliance. **Note:** The employer must submit to the CO a copy of the inspection report, certification, or other official documentation from the Federal authority. This documentation may include, but is not limited to, a certificate from the Occupational Safety and Health Administration (OSHA). See 20 CFR 655.122(d)(1)(ii) and (d)(6)(iii).
- Other:** Select this option and enter "Employer" if "rental or public accommodations" is selected in Item D.6 and no inspection is required, or if local and/or State inspection is required, but the local and State standards do not address

















