

United States Senate

WASHINGTON, DC 20510

March 1, 2019

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20528

Dear Secretary Nielsen:

The recently-passed FY 2019 DHS Appropriations bill provides you with authority, in consultation with the Secretary of Labor, to lift the existing 66,000 H-2B visa cap upon finding that too few Americans are available to fill our nation's need for seasonal workers. You used similar authority in FY 2017 and FY 2018 to provide an additional 15,000 H-2B visas. Today, we ask that you use your authority to increase the number of H-2B visas to 135,320, the number available in FY 2007 when the Returning Worker Exemption was in force.

The continued tightening of the labor market warrants this increase. The demand for seasonal workers is so extreme that the Department of Labor's iCERT system was overwhelmed and crashed almost immediately when the application window for H-2B visas opened January 1st. After rebooting the system, the Department of Labor has received 96,400 applications, nearly triple the 33,000 H-2B visas available for the second half of the fiscal year. This volume of applications reflects a growing need for seasonal workers as the labor market continues to tighten: in the past year, the national unemployment rate has fallen to 4 percent, even as nearly 1.5 million Americans have rejoined the workforce.

In the short run, many areas of our country simply lack the working-age population needed to meet the demand for seasonal jobs. In some industries, particularly tourism, we fear that the demand for workers so far outstrips the available supply that businesses could be forced to curtail operations, putting at risk the jobs of American workers who fill year-round positions at these establishments.

For example, Maine's tourist industry typically welcomes more than 20 million overnight guests and 16 million day visitors each year, most of them during a brief summer season that is critical to the success of the state's economy. With a state population of only 1.3 million, it would not be possible to serve this many guests without the help of the 2,400 H-2B workers who fill positions in Maine's restaurants and hotels in the summertime. Without them, many of these establishments simply could not survive.

The same is true in Alabama, which relies on 1851 H-2B visa workers to fill positions in landscaping, forestry, and hospitality. Likewise, Delaware's beach businesses and landscaping and nursery industries rely heavily on provision of adequate H-2B visas to meet seasonal demand, particularly in the summer when unemployment among permanent residents in coastal areas of the state approaches zero.

Alaska's seafood processors rely on H-2B workers each year, especially at the height of the summer fishing season. Without them, many remote Alaskan communities would lack the labor needed to buy and process the sockeye salmon and other wild caught seafood for which Alaska is so famous.

Colorado also relies heavily on seasonal workers, ranking as one of the country's largest H-2B visa users. Colorado employers use H-2B temporary workers to fill positions in areas with low unemployment across a range of industries, from hotels to landscaping.

In West Virginia, at least 200 H-2B visa workers fill positions in the landscaping, golf courses, and other seasonal industries. These H-2B workers are essential to supplementing a West Virginia workforce already straining to keep up with demand.

Without these workers, seasonal employers in these states tell us they will be unable to meet the demand for their services, hindering growth in our economy.

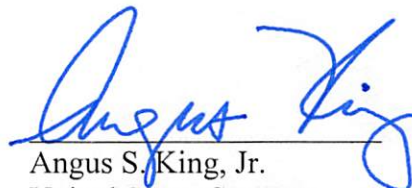
We raise these state-specific examples by way of illustrating the nature of a problem that is national in scope. By doing so, we hope to convey the reality that a serious labor shortage confronts our country, and that additional H-2B visas are needed to help address it.

We also ask that you release the additional visas as soon as possible, so that employers can prepare properly for the upcoming season. We thank you, in advance, for your attention to this urgent request.

Sincerely,



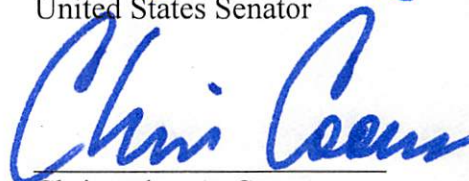
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