

Congress of the United States
Washington, DC 20515

March 30, 2018

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

The Honorable R. Alexander Acosta
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20510

Dear Secretary Nielsen and Secretary Acosta:

Now that the Consolidated Appropriations Act for fiscal year (FY) 2018 has been signed into law, we urge you to take decisive action without delay to ensure small and seasonal businesses in our states can get the workers necessary for a successful season. Due to the time-sensitive nature of seasonal businesses, we also urge you to take immediate steps to re-open the petition process and adjudicate any pending labor certifications that demonstrate the requirements set forth in this legislation. We believe your Departments can take these actions, using the authority provided under this law, without the need for additional rulemaking.

Under Division M, Extensions, Title II, Section 205 of the FY 2018 Consolidated Appropriations Act (P.L.115-141), the Secretary of Homeland Security, in consultation with the Secretary of Labor, has the authority to approve petitions for admission under the H-2B Nonimmigrant Temporary Worker program up to the new statutory level set in the bill for the current fiscal year.

Small and seasonal businesses help our local communities thrive. In fact, small businesses across the country often rely on seasonal H-2B workers to help them operate during their peak seasons throughout the year. As you know, the statutory allocation for H-2B visas for the current fiscal year was reached on February 27, 2018. As a result, many small businesses are left unable to get the workers they need, leading to potential reductions in operating hours or closures. Under the authority provided by Congress, the Department of Homeland Security can immediately help businesses hire the workers they need and help local economies as they head into their peak seasons.

We encourage you to make efforts to allow for efficient processing of additional H-2B visa applications and request that you inform us as soon as possible as to the process you will use to issue additional H-2B visas and the number of additional H-2B visas you intend to issue. This will not only help to alleviate concerns among employers, but it will also reduce the inevitable time-consuming inquiries to your agencies. By taking the necessary steps now, your agencies can streamline the process and help employers get their employees sooner.

Thank you for your attention to this important issue. We thank you for your consideration of this request and urge that you act as soon as possible.

Sincerely,



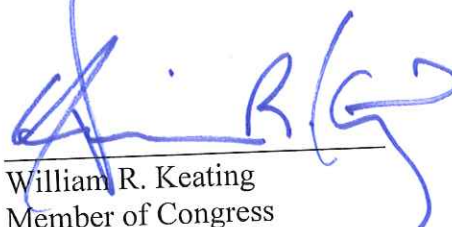
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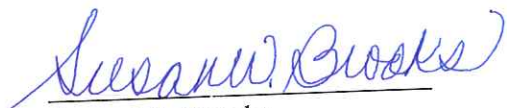
Ralph Abraham, M.D.
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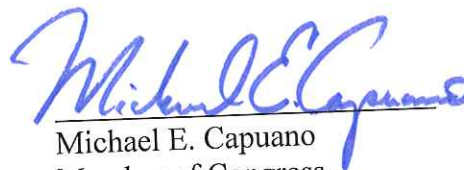
Susan W. Brooks
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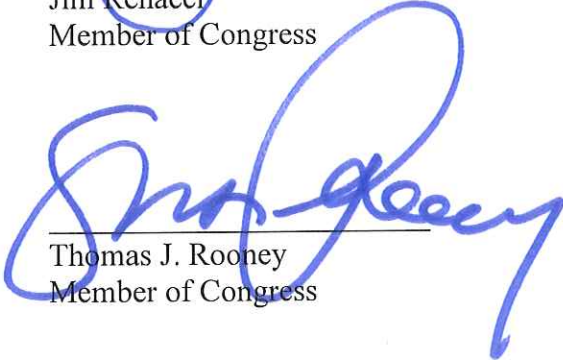
Michael E. Capuano
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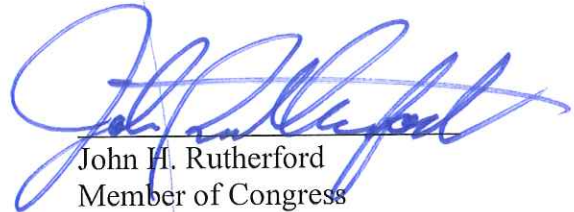
Jim Renacci
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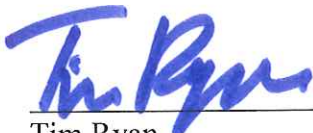
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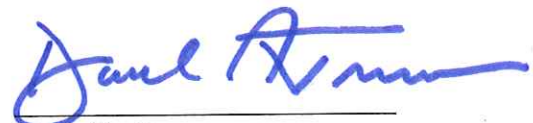
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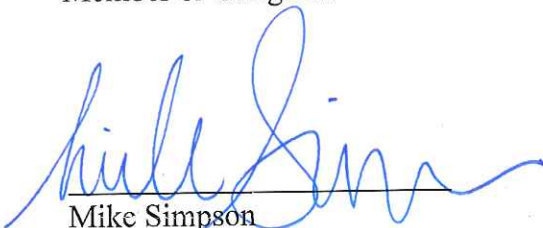
Richard M. Nolan
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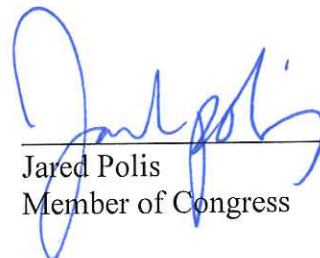
Erik Paulsen
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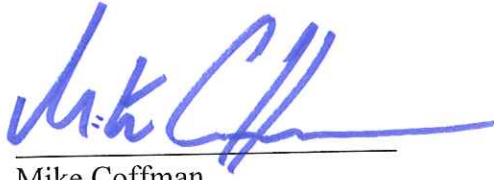
Stevan Pearce
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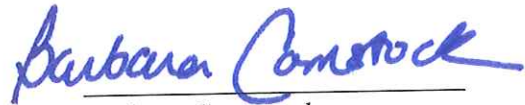
Mike Coffman
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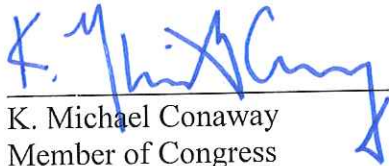
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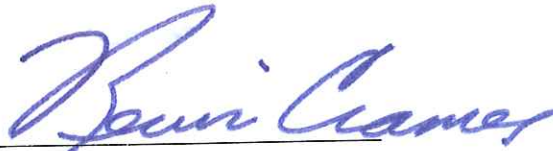
Barbara Comstock
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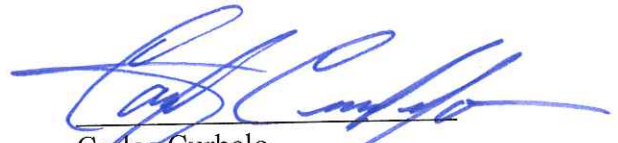
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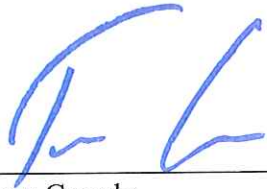
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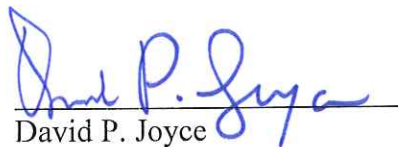
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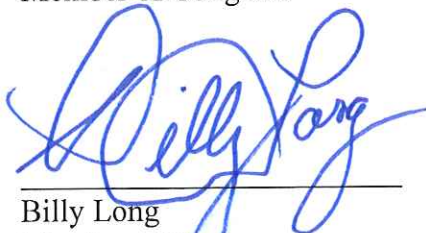
Leonard Lance
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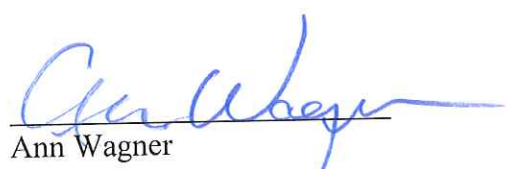
Fred Upton
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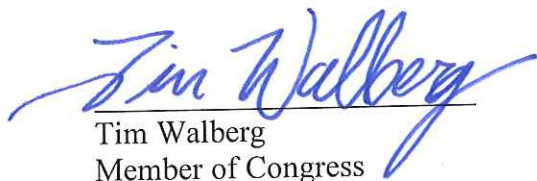
David G. Valadao
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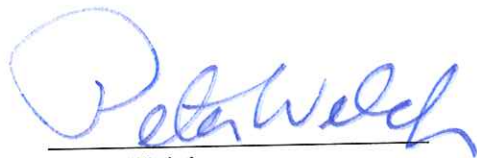
Tom Marino
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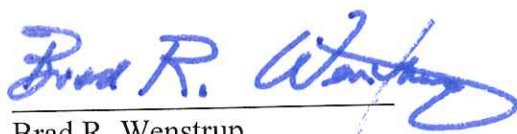
Ann Wagner
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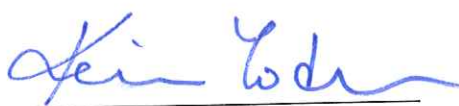
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Brad R. Wenstrup
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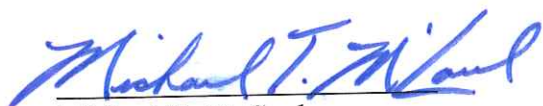
Kevin Yoder
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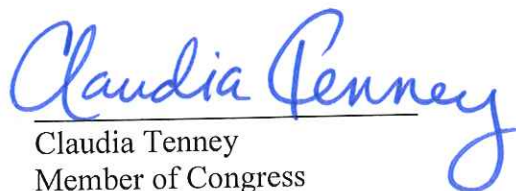
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Michael T. McCaul
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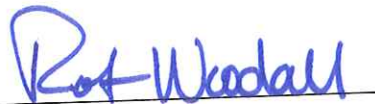
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