

United States Senate

WASHINGTON, DC 20510

November 17, 2022
The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528

The Honorable Martin J. Walsh
Secretary
U.S. Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

Dear Secretary Mayorkas and Secretary Walsh:

We write to urge you to address serious labor shortages affecting the ski and winter tourism industry in our states by providing H-2B visa cap relief. Specifically, we ask that the Departments of Homeland Security and Labor move expeditiously to issue the temporary final rule for the previously-announced 65,000 supplemental Fiscal Year 2023 H-2B visas.

On September 15th, 2022, U.S. Citizenship and Immigration Services announced that the first-half H-2B visa cap for FY23 had been reached – more than two weeks earlier than the same limit was met in FY22, which was previously the fastest this occurred. We thank your agencies for moving quickly to combat this shortage by announcing the release of 65,000 supplementary visas. However, should implementation and application guidelines for those additional visas not be issued quickly, not all industries will be able to benefit.

H-2B workers are especially vital to the ski and winter tourism industry nationwide, which is anticipating severe workforce shortages ahead of hiring for its busiest season. The industry has sought to address these shortages independent of H-2B hiring, including through significant wage increases, with overall ski wage rates increasing by 28% in the past five years across the 37 states containing ski areas.¹

Despite this, vacancies and workforce shortages remain widespread even as demand for outdoor recreation continues to grow. According to the National Ski Areas Association, 81% of all ski areas in the U.S. had unfilled winter jobs in the 2022 ski season. Additionally, the average number of winter positions that went unfilled at ski areas was 76– a steep increase from an average of 55 unfilled positions in 2021.

The urgency of addressing these workforce shortages cannot be overstated. In addition to ski and winter tourism businesses themselves, the rural mountain communities who host them depend heavily on winter tourism and recreation visitors for their overall economic health and growth.


Because employment start dates for ski area employees typically occur in early December, the

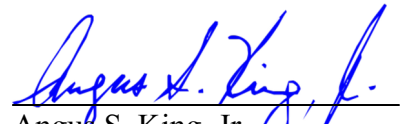
¹National Ski Areas Association Fall 2022 Journal, Wage & Salary Survey

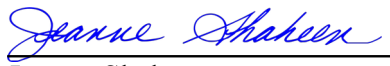
statutory H-2B cap has been met too early for the industry to effectively utilize the program every year since 2018. And while your agencies have traditionally released supplemental visas, in the past, they have come too late to mitigate severe workforce shortages that delayed openings and limited operational capacity.


Given the lengthy timelines involved in securing H-2B visa slots and hiring and onboarding recipients, each day that passes without action contributes to the risk of those challenges repeating themselves. Releasing the recently-announced 65,000 supplemental H-2B visas as soon as possible will ensure that major winter employers like ski areas, and the mountain communities that depend on them, have a fair shot at accessing the program when H-2Bs are needed most. We thank you in advance for your consideration of this request.


Sincerely,



John Hickenlooper
United States Senator



Angus S. King, Jr.
United States Senator


Jeanne Shaheen
United States Senator


Cynthia M. Lummis
United States Senator


Amy Klobuchar
United States Senator


Margaret Wood Hassan
United States Senator


John Barrasso, M.D.
United States Senator