

Congress of the United States
Washington, DC 20515

January 22, 2019

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
235 Cannon House Office Building
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Kevin McCarthy
Republican Leader
United States House of Representatives
326 Cannon House Office Building
Washington, D.C. 20515

The Honorable Chuck Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Speaker Pelosi and Leaders McConnell, McCarthy and Schumer:

We write to you today regarding the H-2B temporary guest worker program. As all of you are aware, we have been working in a bipartisan, bicameral fashion for years to find an acceptable, permanent legislative solution to the problems plaguing this program. Our work has had one goal: to provide the appropriate amount of non-immigrant, temporary workers needed to supplement our American workforce and sustain our economy.

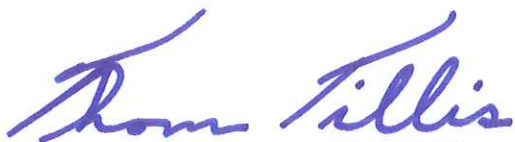
As recent filings show, there is no doubt that the statutory cap of 66,000, which was set more than three decades ago, is wholly inadequate to meet the demands of today's seasonal businesses. Recently, due to the strong national economy, employers have struggled to find U.S. workers for seasonal positions which are, on average, 6-9 month jobs. As such, there has been a marked uptick in the number of seasonal employers that, as a last resort, turn to the H-2B guest worker program for the employees they need to sustain their businesses during peak times. This increased demand, coupled with Congress's inability to meaningfully reform the program to meet the economy's needs, has caused an increasingly urgent issue of visa scarcity where employers are simply unable to attain sufficient workers to meet their labor demands.

In fact, this year, shortly after midnight on January 1, 2019, the Department of Labor's iCERT system, through which employers seeking H-2B workers request temporary labor certifications -- a necessary step in the H-2B application process--was inundated with a record number of requests and almost immediately crashed. In the brief moments before system failure, iCERT received in excess of 97,000 applications for the 33,000 available visas for the second half of the fiscal year. The iCERT System's failure is a direct and predictable result of Congress' inability to address the insufficient availability of H-2B visas.

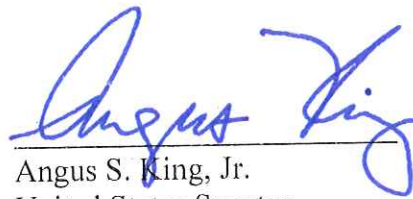
If significant and permanent H-2B cap relief is not provided, there will be severe consequences for seasonal businesses and our economy generally. Several seasonal businesses denied access to the program due to the insufficient cap have already been forced to scale back their operations, cancel or default on contracts, lay off full-time U.S. workers, and, in some cases, shutter their operations entirely. Continuing with the status quo of failing to reform the H-2B program will only result in more closures or scale backs for these businesses. In any agreement to end the current partial lapse in government funding, we owe our constituents, and seasonal business owners relying on this vital program, a thoughtful and lasting legislative solution to the H-2B visa shortage.

We look forward to working with you on this issue, and we are hopeful that you will include a meaningful solution to the H-2B guest worker shortage in any government funding agreement.

Sincerely,



Thom Tillis
United States Senator



Angus S. King, Jr.
United States Senator



Andy Harris, M.D.
Member of Congress



Chellie Pingree
Member of Congress



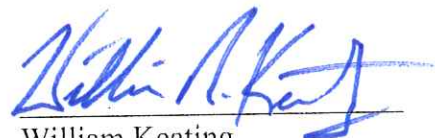
Susan M. Collins
United States Senator



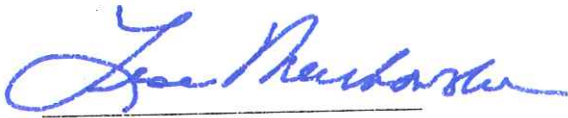
Thomas R. Carper
United States Senator



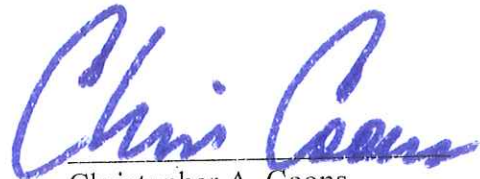
Jack Bergman
Member of Congress



William Keating
Member of Congress



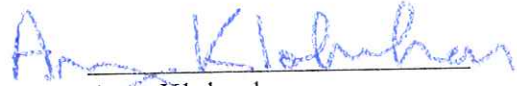
Lisa Murkowski
United States Senator



Christopher A. Coons
United States Senator



M. Michael Rounds
United States Senator



Amy Klobuchar
United States Senator



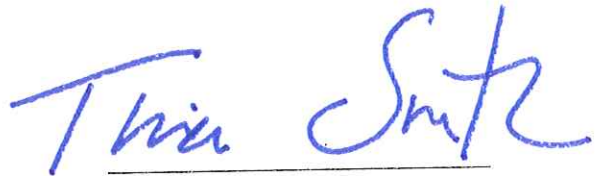
Michael B. Enzi
United States Senator



Doug Jones
United States Senator



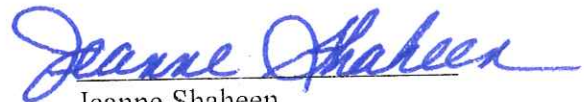
Cory Gardner
United States Senator



Tina Smith
United States Senator



Todd Young
United States Senator



Jeanne Shaheen
United States Senator



Rob Portman
United States Senator



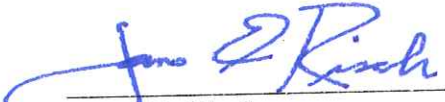
Michael F. Bennet
United States Senator

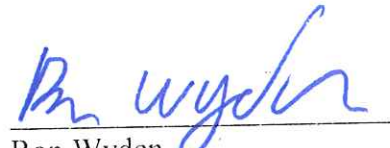



Dan Sullivan
United States Senator



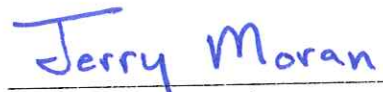
Mark R. Warner
United States Senator

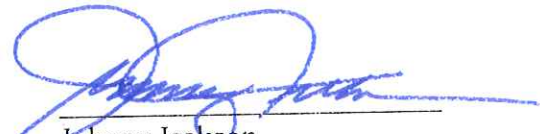

James E. Risch
United States Senator


Ron Wyden
United States Senator



John Barrasso
United States Senator



Joe Manchin III
United States Senator

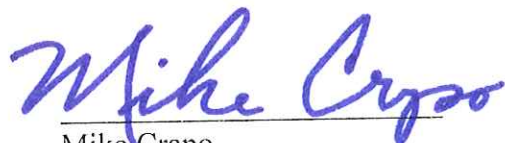

Jerry Moran
United States Senator


Johnny Isakson
United States Senator

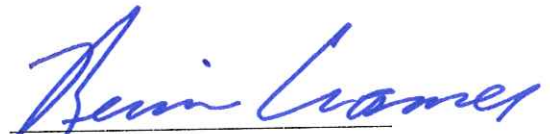

Pat Roberts
United States Senator



Lindsey Graham
United States Senator


Tim Scott
United States Senator


Mike Crapo
United States Senator


Bill Cassidy, M.D.
United States Senator


Kevin Cramer
United States Senator


Roger F. Wicker
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Michael T. McCaul

Michael McCaul
Member of Congress

Robert Wittman

Robert Wittman
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John R. Carter

John R. Carter
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Diana DeGette

Diana DeGette
Member of Congress

C.A. Dutch Ruppertsberger

C.A. Dutch Ruppertsberger
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Brian Mast

Brian Mast
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Fred Upton

Fred Upton
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Peter Welch

Peter Welch
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H. Morgan Griffith

H. Morgan Griffith
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Ken Calvert


Ken Calvert
Member of Congress


Tom Cole

Tom Cole
Member of Congress

Susan W. Brooks

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Member of Congress

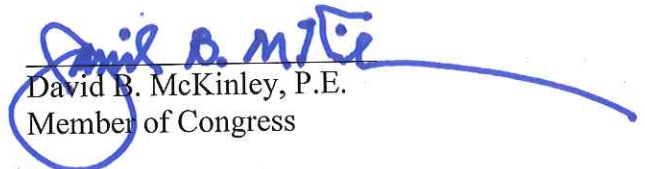

John Shimkus
Member of Congress



Bill Flores
Member of Congress

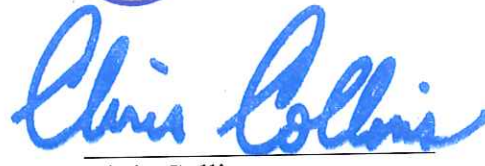

Blaine Luetkemeyer
Member of Congress

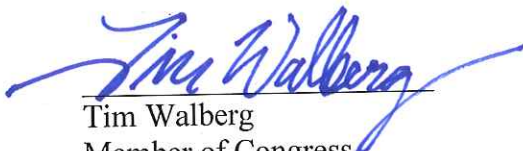

Bill Huizenga
Member of Congress


Vicky Hartzler
Member of Congress


David B. McKinley, P.E.
Member of Congress



Chris Stewart
Member of Congress

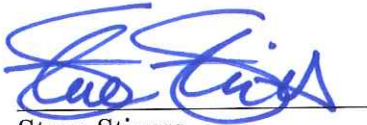

Chris Collins
Member of Congress


Tim Walberg
Member of Congress


Don Young
Member of Congress


Bill Johnson
Member of Congress

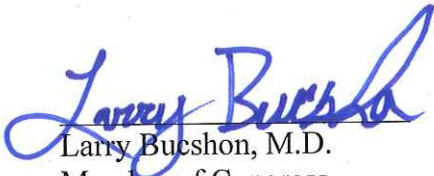

Steven M. Palazzo
Member of Congress



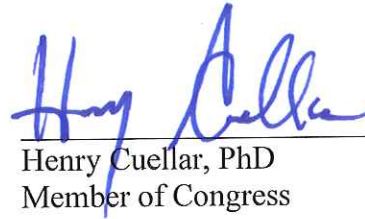
Steve Stivers
Member of Congress



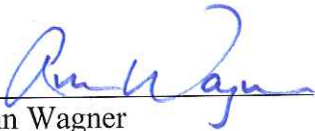
Adam Kinzinger
Member of Congress



Larry Bucshon, M.D.
Member of Congress



Henry Cuellar, PhD
Member of Congress



Ann Wagner
Member of Congress



Doug Lamborn
Member of Congress



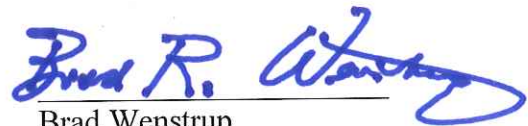
Garret Graves
Member of Congress



Frank Lucas
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Steve Chabot
Member of Congress



Brad Wenstrup
Member of Congress



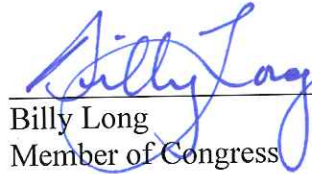
Andy Barr
Member of Congress



Brett Guthrie
Member of Congress




Bob Gibbs
Member of Congress




Billy Long
Member of Congress



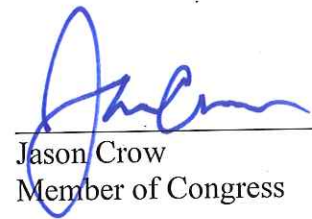
Ken Buck
Member of Congress



Robert Latta
Member of Congress



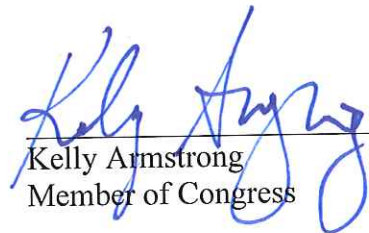
K. Michael Conaway
Member of Congress



Jason Crow
Member of Congress



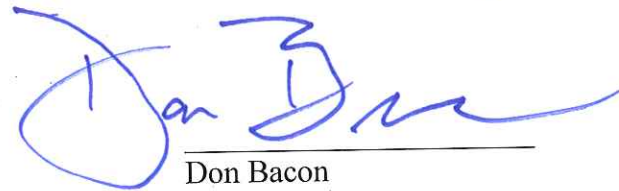
Thomas Massie
Member of Congress



Kelly Armstrong
Member of Congress



Anthony Gonzalez
Member of Congress



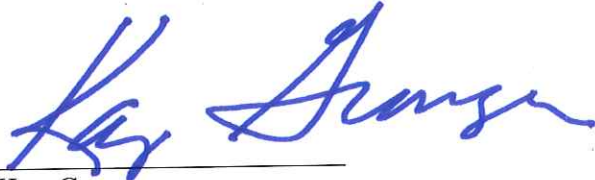
Don Bacon
Member of Congress



Trent Kelly
Member of Congress



David P. Joyce
Member of Congress



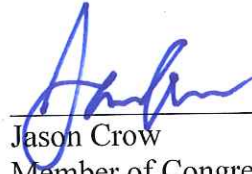
Kay Granger
Member of Congress



Matt Cartwright
Member of Congress



Ed Perlmutter
Member of Congress



Jason Crow
Member of Congress



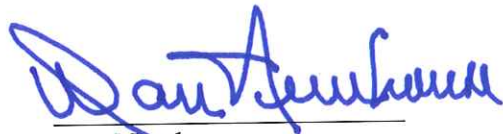
Joe Wilson
Member of Congress



Lucy McBath
Member of Congress



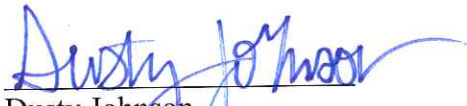
Steve Watkins
Member of Congress



Dan Newhouse
Member of Congress



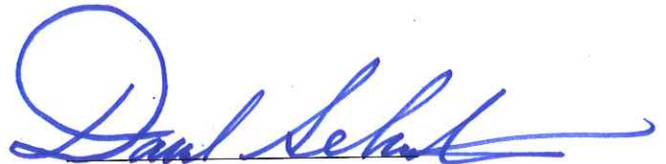
Mike Bost
Member of Congress



Dusty Johnson
Member of Congress



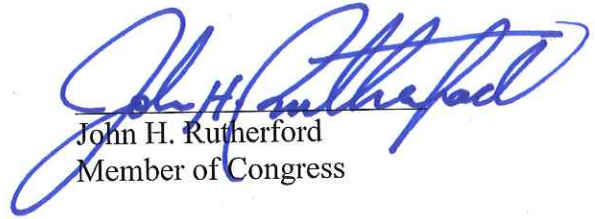
Ron Estes
Member of Congress



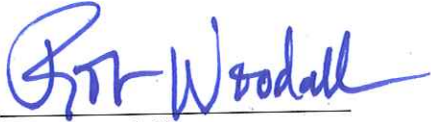
David Schweikert
Member of Congress



Roger Williams
Member of Congress



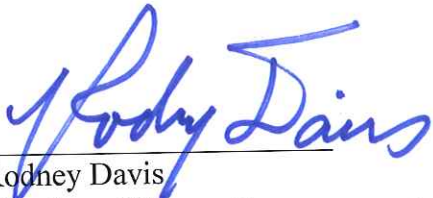
John H. Rutherford
Member of Congress



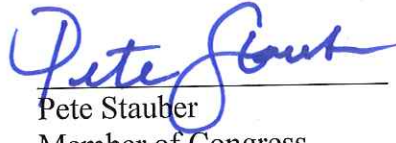
Rob Woodall
Member of Congress



Ted S. Yoho, DVM
Member of Congress



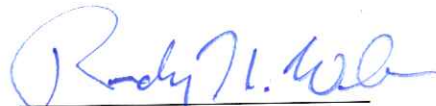
Rodney Davis
Member of Congress



Pete Stauber
Member of Congress



Bruce Westerman
Member of Congress



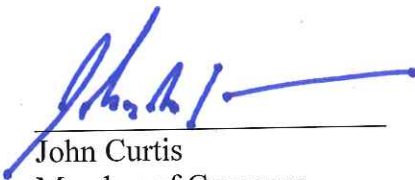
Randy Weber
Member of Congress



John Moolenaar
Member of Congress



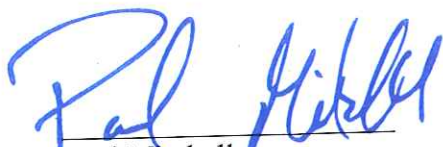
Vicente Gonzalez
Member of Congress



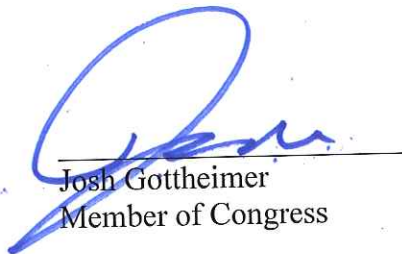
John Curtis
Member of Congress



Lloyd Smucker
Member of Congress



Paul Mitchell
Member of Congress



Josh Gottheimer
Member of Congress



Scott Tipton
Member of Congress



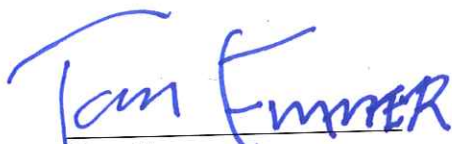
Michael Guest
Member of Congress



Filemon Vela
Member of Congress



Roger Marshall, M.D.
Member of Congress



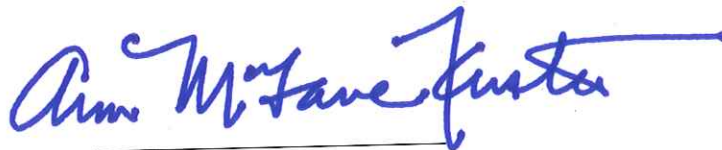
Tom Emmer
Member of Congress



Elise M. Stefanik
Member of Congress



Ralph Norman
Member of Congress



Ann McLane Kuster
Member of Congress





Chris Pappas
Member of Congress

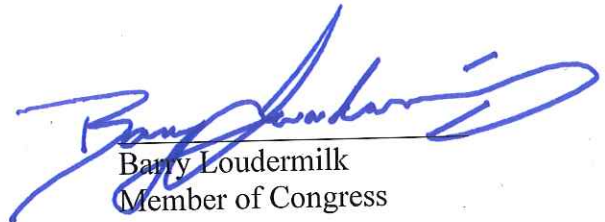


Jody Hice
Member of Congress

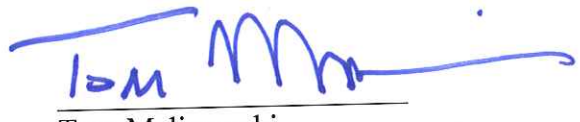

David Kustoff
Member of Congress



Neal P. Dunn, M.D.
Member of Congress

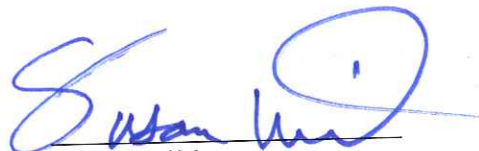

Ralph Abraham, M.D.
Member of Congress


Barry Loudermilk
Member of Congress


Clay Higgins
Member of Congress


Tom Malinowski
Member of Congress


Tom Rice
Member of Congress


Susan Wild
Member of Congress