

Congress of the United States
Washington, DC 20510

May 12, 2017

The Honorable John F. Kelly
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 Kelly and Secretary Acosta:

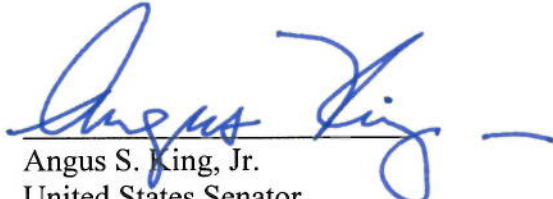
Under Division F – the Department of Homeland Security Appropriations Act, 2017, Title V, Section 543 of the FY 2017 Omnibus Appropriations bill, the Secretary of Homeland Security, in consultation with the Secretary of Labor, may approve petitions for admission under the H-2B Nonimmigrant Temporary Worker program up to the new statutory level set in the bill for this fiscal year. Now that this omnibus has been signed into law, we encourage you to take swift and decisive action to ensure that small and seasonal businesses in our states can get the workers necessary to ensure a successful season. Due to the time-sensitive nature of seasonal businesses, we also encourage you to take immediate steps to re-open the petition process and adjudicate any pending labor certifications that demonstrate the requirements set in the legislation.

Small and seasonal businesses help our local communities thrive. In fact, small businesses across the country often rely on seasonal workers to help them operate during their peak seasons throughout the year. As you know, the statutory allocation for the fiscal year was reached on March 13, 2017. Because of this, many small businesses were not able to get workers they need, leading to potential reductions in operating hours or closures. Under the authority provided by Congress, the Department of Homeland Security (DHS) can immediately help businesses hire the workers they need and help local economies as they head into their peak seasons.

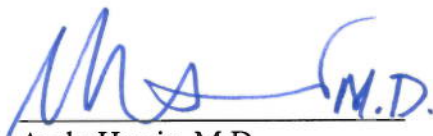
In addition to allowing for an H-2B cap adjustment, the FY 2017 Omnibus Appropriations Act provided resources to the Department of Labor's (DOL) Office of Foreign Labor Certification to address the backlog of labor certification requests the agency is currently experiencing. Because seasonal businesses make the majority of their revenue during a short time period during the year, it is imperative these businesses are able to operate at full capacity in order to maximize their earnings. Unfortunately, delays in processing times within both DOL and DHS have caused a great deal of frustration and uncertainty among seasonal businesses. We encourage DHS and DOL to make efforts to allow for efficient processing for additional applications. 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.

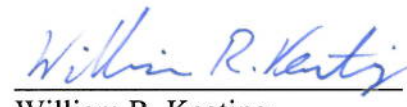
Thank you for your attention to this issue. We hope you will consider this request and act as soon as possible.

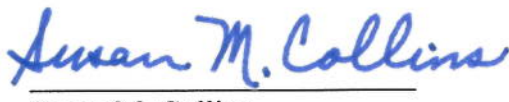
Sincerely,


Angus S. King, Jr.
United States Senator

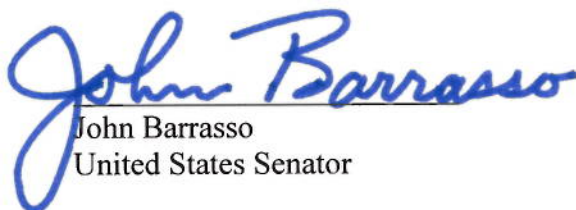

Thom Tillis
United States Senator


Andy Harris, M.D.
Member of Congress

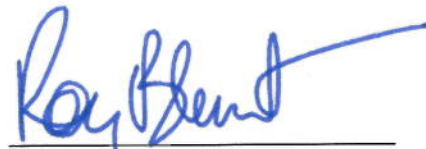

William R. Keating
Member of Congress


Susan M. Collins
United States Senator



Thomas R. Carper
United States Senator



John Barrasso
United States Senator


Heidi Heitkamp
United States Senator


Roy Blunt
United States Senator


Jeff Flake
United States Senator


Cory Gardner
United States Senator



Christopher A. Coons
United States Senator



John Thune
United States Senator



Amy Klobuchar
United States Senator



Orrin Hatch
United States Senator



Bill Cassidy, M.D.
United States Senator



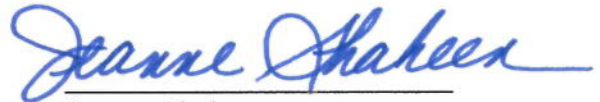
Roger F. Wicker
United States Senator



Lindsey O. Graham
United States Senator



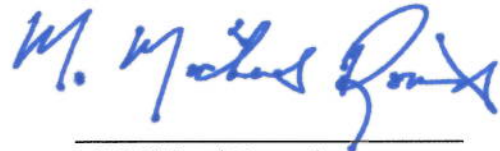
Lisa Murkowski
United States Senator



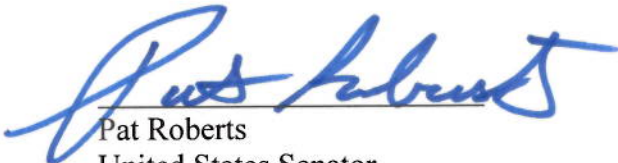
Jeanne Shaheen
United States Senator



Ron Wyden
United States Senator



M. Michael Rounds
United States Senator



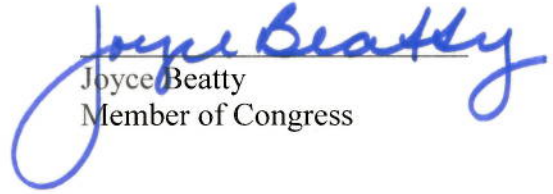
Pat Roberts
United States Senator



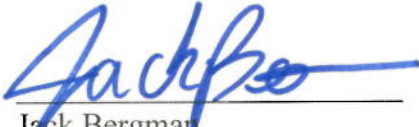
Mike Enzi
United States Senator



Ralph Abraham, M.D.
Member of Congress



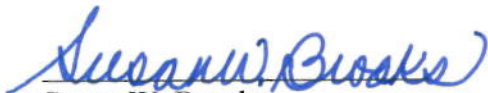
Joyce Beatty
Member of Congress



Jack Bergman
Member of Congress



Mike Bishop
Member of Congress



Susan W. Brooks
Member of Congress



Steve Chabot
Member of Congress



Mike Coffman
Member of Congress



Barbara Comstock
Member of Congress



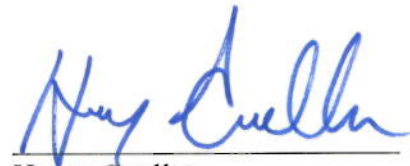
K. Michael Conaway
Member of Congress



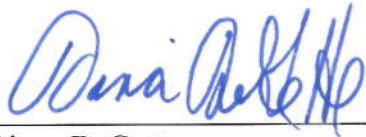
Ryan A. Costello
Member of Congress



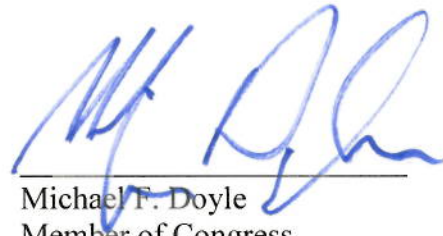
Kevin Cramer
Member of Congress



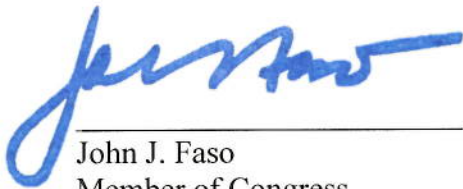
Henry Cuellar
Member of Congress



Diana DeGette
Member of Congress



Michael F. Doyle
Member of Congress



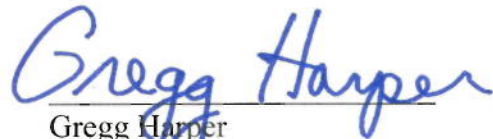
John J. Faso
Member of Congress



Bob Gibbs
Member of Congress



Glenn Grothman
Member of Congress



Gregg Harper
Member of Congress




Clay Higgins
Member of Congress



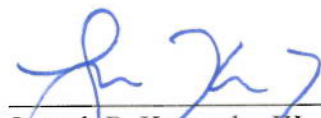
Bill Huizenga
Member of Congress



Lynn Jenkins
Member of Congress



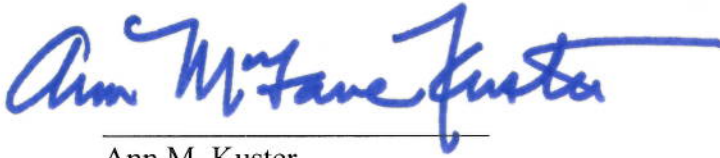
Bill Johnson
Member of Congress



Joseph P. Kennedy, III
Member of Congress



Ron Kind
Member of Congress



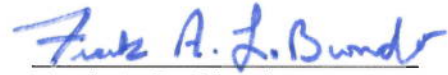
Ann M. Kuster
Member of Congress



James R. Langevin
Member of Congress



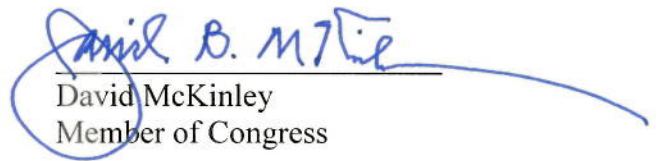
Robert Latta
Member of Congress



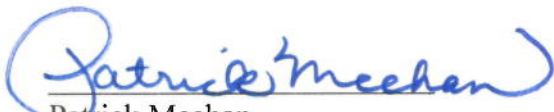
Frank A. LoBiondo
Member of Congress



Billy Long
Member of Congress



David McKinley
Member of Congress



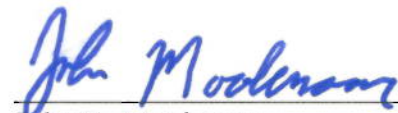
Patrick Meehan
Member of Congress



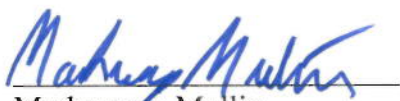
Luke Messer
Member of Congress



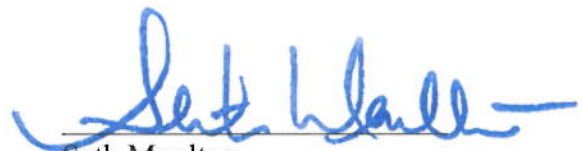
Paul Mitchell
Member of Congress



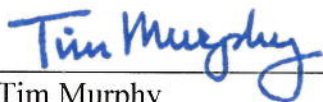
John R. Moolenaar
Member of Congress



Markwayne Mullin
Member of Congress



Seth Moulton
Member of Congress



Tim Murphy
Member of Congress



Dan Newhouse
Member of Congress



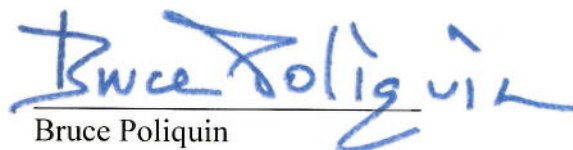
Richard M. Nolan
Member of Congress



Stevan Pearce
Member of Congress



Chellie Pingree
Member of Congress



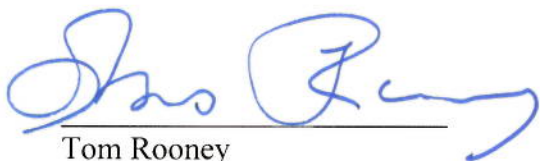
Bruce Poliquin
Member of Congress



Jared Polis
Member of Congress



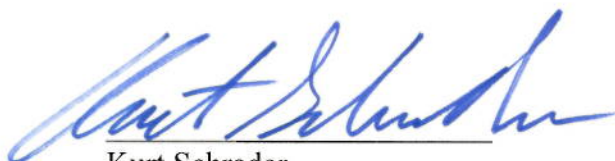
Tom Rice
Member of Congress



Tom Rooney
Member of Congress



Mark Sanford
Member of Congress



Kurt Schrader
Member of Congress



Pete Sessions
Member of Congress



Carol Shea-Porter
Member of Congress



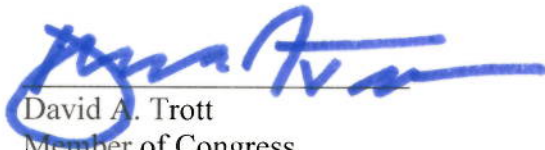
Chris Stewart
Member of Congress



Glenn 'GT' Thompson
Member of Congress



Scott Tipton
Member of Congress



David A. Trott
Member of Congress



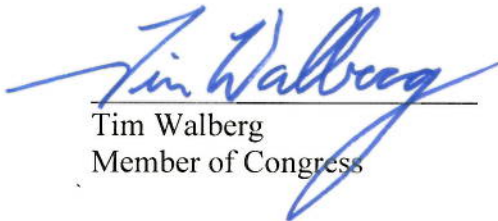
Fred Upton
Member of Congress



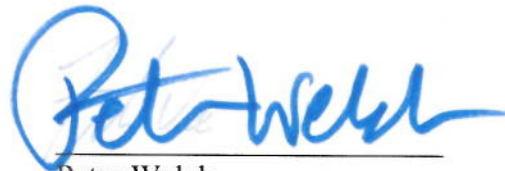
David G. Valadao
Member of Congress



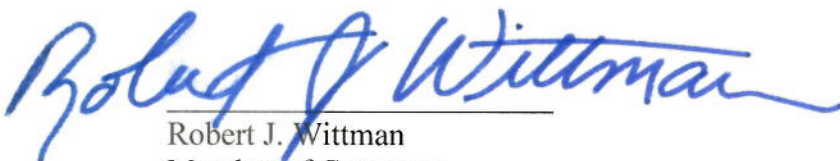
Filemon Vela
Member of Congress



Tim Walberg
Member of Congress



Peter Welch
Member of Congress



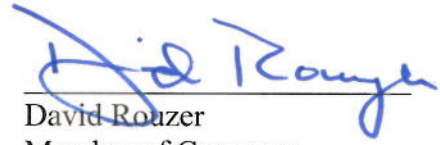
Robert J. Wittman
Member of Congress



Rob Woodall
Member of Congress



Kevin Yoder
Member of Congress



David Rouzer
Member of Congress



John H. Rutherford
Member of Congress