

**CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA**

NEIL L. BRADLEY
EXECUTIVE VICE PRESIDENT &
CHIEF POLICY OFFICER

1615 H STREET, NW
WASHINGTON, DC 20062
(202) 463-5310

March 29, 2019

The Honorable Kirstjen M. Nielsen
Secretary
Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, D.C. 20528

The Honorable R. Alexander Acosta
Secretary
Department of Labor
200 Constitution Avenue, NW
Washington, D.C. 20210

Dear Secretary Nielsen and Secretary Acosta:

The U.S. Chamber of Commerce urges you to take immediate action to authorize the maximum number of H-2B visas allowed by law. Without swift action on your part, employers across a range of industries, many of which are small businesses, will be unable to meet their workforce needs in the spring and summer months forcing them to reduce – and in some cases, cease – operations.

The consequences of inaction, or even delayed action, are widespread and severe. As companies reduce or cease operations, the American workers they already employ will be harmed and other businesses that supply goods and services to H-2B employers will be adversely affected. Communities that rely on seasonal industries are likely to experience negative economic effects.

The 66,000 annual quota for H-2B visas is woefully inadequate to meet the seasonal labor needs of a whole host of businesses. With the unemployment rate currently at 3.8%, employers are having significant problems meeting their seasonal workforce needs. These problems were further exacerbated when the Labor Department's iCERT Portal system crashed in January when the application period for H-2B workers with a start date between April 1, 2019 and the end of FY19 commenced, further increasing the uncertainty felt by many employers.

In FY17 and FY18, H-2B employers across the country appreciated the 15,000 extra H-2B visas that were provided in both of those fiscal years. Unfortunately, that limited amount of cap relief has proven to be insufficient to meet the needs of seasonal employers. The Labor Department's data confirms this inadequacy. For the period beginning on April 1 and ending at the end of the current fiscal year, U.S. seasonal employers are demanding over 95,000 H-2B workers, which is nearly triple the 33,000 available H-2B visas that are allocated under the current cap structure for that period of time. Therefore, we urge you to allocate the maximum number of visas allowed under law, which per the notice issued in the Federal Register last year, is an additional 64,716 visas.

Quick action authorizing the maximum number of H-2B visas will enable American businesses to continue and expand their operations for the benefit of their American workers, their customers, and the communities in which they operate. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley", with a large, stylized flourish at the end.

Neil L. Bradley