

Congress of the United States
House of Representatives
Washington, DC 20515

March 10, 2020

The Honorable
Mr. Alejandro Mayorkas
Secretary of the U.S. Department of Homeland Security
3801 Nebraska Ave NW,
Washington, DC 20016

Dear Mr. Secretary Mayorkas,

On behalf of the seasonal employers in Central Virginia who continue to struggle with seasonal labor shortages, I write to urge you to provide meaningful H-2B visa cap relief in 2021. Under the “Consolidated Appropriations Act, 2021” the Secretary of the Department of Homeland Security (DHS), in consultation with Secretary of the Department of Labor, is authorized to provide expeditious H-2B cap relief for our local businesses’ upcoming seasonal labor needs.

As you are aware, on November 16, 2020, the United States Citizenship and Immigration Services received enough petitions to reach the congressionally mandated H-2B cap of 33,000 H-2B visas for the first half of Fiscal Year 2021. On January 3, 2021, the Office of Foreign Labor Certification announced the number of H-2B applications filed in the FLAG System during the first 48 hours of the peak filing season numbered more than 92,803 worker positions with an April 1, 2021, or later, work start date, which is more than 40 percent of the existing visa cap.

Unemployment data indicates that very few U.S. workers applied for H-2B-eligible jobs in 2020, despite the spike in unemployment and the H-2B ban implemented by the Trump Administration. As a result, these businesses have been forced to limit hours of operation, turn away customers, scale back services, and cancel capital equipment purchases. This inability to fully operate due to labor shortages is only compounding the issues that these businesses are facing due to the economic crisis caused by the COVID-19 pandemic. Providing these businesses with the H-2B workers they need will help them adapt to this crisis and prevent the further shut down of their operations, thereby allowing them to keep their American workers gainfully employed. According to the American Enterprise Institute, every H-2B worker is estimated to create and sustain 4.64 American jobs. Especially during this time of economic crisis, we cannot allow further American jobs to become imperiled.

I respectfully request DHS release additional visas without delay. American businesses, and the American workers they employ, depend on the expeditious release of a sufficient number of additional visas. I thank you in advance for your attention to this pressing matter.

Sincerely,



Abigail D. Spanberger
MEMBER OF CONGRESS