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H-2B

WORKFORCE COALITION

Protecting American Workers Through a Stable and Reliable Seasonal Workforce

www.h2bworkforcecoalition.com

Andrew Bray, Chair
National Association of Landscape Professionals

Ashley McNeil, Vice Chair
American Hotel &
Lodging Association

Laurie Flanagan, Secretary
DC Legislative and Regulatory Services

Steering Committee:

American Hotel and Lodging Association

American Horse Council

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American Rental Association

American Seafood Jobs Alliance

Federation of Employers and Workers of America

Forest Resources Association

Golf Course Superintendents Association of America

Leading Builders of America

Mackinac Island Convention & Visitors Bureau

National Association of Landscape Professionals

Outdoor Amusement Business Association

U.S. Chamber of Commerce

U.S. Travel Association

November 13, 2023

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Washington, DC 20528

The Honorable Julie Su
Secretary of Labor
Washington, DC 20001

Dear Secretaries Mayorkas and Su:

The H-2B Workforce Coalition is comprised of small and seasonal businesses across the country owned and operated by thousands of employers and their representatives from industries such as lodging, landscaping, seafood, restaurants, tourism, equine, forestry, mobile outdoor amusement, golf courses, and others. Our members are seasonal businesses that rely on the H-2B visa program to supplement their U.S. workforce during seasonal surge and peak business needs.

On behalf of our members, we thank you for the recent announcement about the Departments' plan to make available 64,716 supplemental H-2B visas for fiscal 2024. These visas will provide employers with the ability to better handle their labor challenges, as they will have additional certainty regarding their workforce planning decisions in the coming months. We urge you to promptly publish a temporary rule implementing the release of these supplemental visas.

We would also like to express support for the Administration's efforts to increase access to H-2B visas for foreign nationals from the Northern Triangle countries and Haiti. We will continue to work with these foreign governments to help diminish the irregular migration from these countries by helping to streamline the application process for foreign workers from these countries.

We are grateful that the Administration's action recognizes the dire shortage of seasonal labor in the U.S. Many employers turn to the H-2B program to meet their workforce needs to not only sustain their businesses, but also to support their American workers. Every H-2B worker supports 4.64 U.S. jobs.¹ Furthermore, a 2020 General Accountability Office report concluded that "counties with H-2B employers generally had lower unemployment rates and higher average weekly wages than counties that do not have any H-2B employers."² The H-2B program places many requirements on employers to recruit U.S. workers, and our members try to find as many U.S. workers as they can. In these unprecedented times, there are simply not enough workers to meet the seasonal workforce needs of U.S. employers. The most current employment data illustrate the workforce struggles of seasonal businesses nationwide. The Bureau Labor

¹ Zavodny, Madeline. *Immigration and American Jobs*. American Enterprise Institute, 15 Dec. 2011, www.aei.org/research-products/working-paper/immigration-and-american-jobs/seek.

² United States, Congress, "H-2B VISAS: Additional Steps Needed to Meet Employers' Hiring Needs and Protect U.S. Workers." *H-2B VISAS: Additional Steps Needed to Meet Employers' Hiring Needs and Protect U.S. Workers*, GAO-20-230; U.S. Government Accountability Office, 2020, pp. 13–14.

Statistics reported that during September 2023, the unemployment rate continued to be 3.8% and average annual hourly wages increased.³

Again, thank you for acknowledging the seasonal labor crisis and unprecedented demand that led to the Administration's planned release of 64,719 H-2B supplemental visas for FY24. We encourage you to promptly promulgate a temporary final rule implementing the announcement.

Sincerely,



Andrew Bray
Chair



Ashley McNeil
Vice Chair

³ "Employment Situation Summary - 2023 M09 Results." *U.S. Bureau of Labor Statistics*, U.S. Bureau of Labor Statistics, 6 Oct. 2023, www.bls.gov/news.release/empisit.nr0.htm.



U.S. Citizenship
and Immigration
Services

January 2, 2024

Andrew Bray
Chair
H-2B Workforce Coalition
andrew@landscapeprofessionals.org

Dear Mr. Bray:

Thank you for your November 13, 2023 letter to the Department of Homeland Security (DHS) regarding supplemental H-2B visas for fiscal year (FY) 2024. I am responding on behalf of DHS.

DHS appreciates the concerns you raised regarding the labor challenges facing small and seasonal U.S. businesses. As you may be aware, on November 17, 2023, DHS and the Department of Labor (DOL) jointly published a temporary final rule (TFR) making available an additional 64,716 H-2B visas for the remainder of the 2024 fiscal year.¹ This number of additional H-2B visas represents the maximum permitted under the September 2023 FY 2024 Continuing Resolution (Pub. L. No. 118-15).

By making these supplemental visas available at the outset of FY 2024, DHS and DOL have worked to ensure U.S. businesses with workforce needs are able to plan and find the seasonal and other temporary workers they need. Your letter expresses support for increasing access to H-2B visas for foreign nationals from the Northern Central American countries and Haiti. Like last year, this TFR increases access for nationals from Guatemala, El Salvador, Honduras, and Haiti. This TFR also includes the additional countries of Colombia, Ecuador, and Costa Rica in the country-specific allocation, which improves the likelihood that the full 20,000 country-specific visa allocation will be used.

¹ See <https://www.federalregister.gov/documents/2023/11/17/2023-25493/exercise-of-time-limited-authority-to-increase-the-numerical-limitation-for-fy-2024-for-the-h-2b>.

Andrew Bray
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Thank you again for your letter and interest in this important issue. Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou
Director