

February 19, 2021

The Honorable Alejandro Mayorkas
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20395

RECEIVED

By ESEC External at 3:16 pm, Feb 19, 2021

RE: Release of Supplemental H-2B Visas

Dear Secretary Mayorkas,

As representatives of the nation’s forestry and forest products sectors, we would like to congratulate you on your confirmation as the Secretary of the Department of Homeland Security. As you know, H-2B forestry workers are critical to the health of America’s forests and support the employment of millions of American workers. Despite the pandemic, and in some cases because of the pandemic, the demand for seasonal H-2B workers remains strong. In forestry, we face an urgent need for guestworkers to complete replanting efforts within a rapidly closing seasonal window. **As such, we urge the DHS to release all authorized additional H-2B visas for the second half of Fiscal Year 2021 as provided in the FY2021 Omnibus and COVID Relief and Response Act.**

The signatories of this letter represent the forestry and forest products industry, which employs nearly 3 million American workers. H-2B forestry workers plant trees on public and private forestlands across the United States following a timber harvest or natural disturbance such as wildfire. Each year, H-2B forestry workers plant 1.5 billion tree seedlings.

The forestry sector relies on seasonal H-2B forestry workers when there are not enough available U.S. workers to fill these short-term, remote, and itinerant jobs. For instance, in 2019, U.S. workers applied for less than 2% of these forestry job vacancies. H-2B workers are also important to rural economies, as each H-2B worker supports more than 4.6 American jobs¹. Further, a 2020 Government Accountability Office report reviewing the H-2B program 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

In 2020, wildfires burned more than 10 million acres of forestland, while other natural disasters like hurricanes in the Southeast, created unusually high demand for replanting this season. At the same time, the COVID-19 pandemic prevented many H-2B workers from traveling to the U.S., and the previous administration’s actions to ban H-2B workers made it harder to get the workers we needed. Forest owners estimate that it will take 4-5 years to make up for lost replanting time from this season alone. Without an increase to the H-2B cap for FY 2021, America’s working forests will

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 “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.

once again fall short of this year's tree planting needs. Trees take decades to mature, and as such, today's actions (or inaction) will impact generations to come.

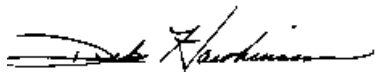
Planting trees is crucial because working forests are a critical nature-based solution to climate change. By providing a continuous cycle of growing, harvesting, and replanting, active forest management maximizes a forest's ability to sequester and store carbon and improves forest resilience. U.S. forests and forest products offset 15% of U.S. industrial carbon emissions every year. The power of our nation's forest carbon sink to curb the effects of climate change is unmatched by any other sector, but we need the workforce to keep our forests healthy and resilient.

We appreciate the opportunity to work with you on these and other important endeavors that will strengthen the economic, environmental and climate benefits of America's forests while sustaining the millions of Americans who own, invest, and work throughout the forestry supply chain.

We look forward to working with the DHS to address the importance of H-2B forestry workers in renewing public and private forestlands. We urge you to promptly release all authorized supplemental H-2B visas available for FY 2021, so that additional delays in planting trees on public and private forestlands may be avoided.

Thank you for your consideration.

Sincerely,



Deb Hawkinson
President, Forest Resources Association
dhawkinson@forestresources.org



Dave Tenny
President, National Alliance of Forest Owners
dtenny@nafoalliance.org

The Undersigned Associations Support this Letter:

1. Alabama Forestry Association
2. American Forest Resource Council
3. Arkansas Forestry Association
4. Arkansas Timber Producers Association
5. Associated Logging Contractors – Idaho
6. Associated Oregon Loggers, Inc.
7. Association of Consulting Foresters
8. Black Hills Forest Resource Association
9. California Forestry Association
10. Empire State Forest Products Association
11. Federal Forest Resource Coalition
12. Florida Forestry Association

13. Forest Landowners Association
14. Forest Resources Association
15. Forestry Association of South Carolina
16. Georgia Forestry Association
17. Great Lakes Timber Professionals Association
18. Hawai'i Forest Industry Association
19. Intermountain Forest Association
20. Kentucky Forest Industries Association
21. Louisiana Forestry Association
22. Maine Forest Products Council
23. Maple Flooring Manufacturers Association
24. Massachusetts Forest Alliance
25. Michigan Association of Timbermen
26. Michigan Forest Products Council
27. Minnesota Forest Industries
28. Michigan Forest Products Council.
29. Minnesota Timber Producers Association
30. Mississippi Forestry Association
31. National Alliance of Forest Owners
32. National Association of State Foresters
33. National Woodland Owners Association
34. North Carolina Forestry Association
35. Northeastern Loggers Association
36. Ohio Forestry Association, Inc.
37. Oregon Forest & Industries Council
38. Pennsylvania Forest Products Association
39. Pennsylvania Forestry Association
40. Railway Tie Association
41. Society of American Foresters
42. South Carolina Timber Producers Association
43. Southeastern Lumber Manufacturers Association, Inc.
44. Southern Loggers Cooperative
45. Tennessee Forestry Association
46. Texas Forestry Association
47. The Hardwood Federation
48. Treated Wood Council
49. Virginia Forestry Association
50. Washington Forest Protection Association
51. West Coast Lumber & Building Material Association
52. Western Wood Preservers Institute
53. West Virginia Forestry Association

CC: The Honorable Thomas Vilsack
The Honorable Martin Walsh
Ms. Regina McCarthy



U.S. Citizenship
and Immigration
Services

March 12, 2021

Deb Hawkinson
President
Forest Resources Association Inc.
1901 Pennsylvania Avenue NW, Suite 303
Washington, DC 20006

Dear Ms. Hawkinson:

Thank you for your February 19, 2021 letter to the Department of Homeland Security (DHS). Secretary Mayorkas asked that I respond on his behalf.

In your letter, you emphasized the importance of the H-2B nonimmigrant temporary non-agricultural worker program for strengthening the economic, environmental, and climate benefits of America's forests, the continuing viability of seasonal businesses that represent the forestry and forest products industry, as well as for the nation's economic recovery related to the coronavirus pandemic. Accordingly, you requested that the DHS promptly make available all additional H-2B visas authorized under the law.

As you noted, Congress again delegated its authority to increase the number of available H-2B visas in Section 105 of the Consolidated Appropriations Act, 2021. As in previous years, the provision authorizes the Secretary of Homeland Security, after consulting with the Secretary of Labor, and upon the determination that the needs of American businesses cannot be satisfied with U.S. workers who are willing, qualified, and able to perform temporary nonagricultural labor, to temporarily increase the H-2B visa cap beyond the annual statutory cap of 66,000 for the remainder of fiscal year 2021. As in prior years, DHS will consult with the Department of Labor on appropriate labor protections and, if, based on balancing the needs of employers and the interest of U.S. workers, an increase is decided, the Secretary of DHS will then determine the number of additional visas to be made available, any limitations, and the timing of when the increase should take effect. The Departments will then issue rulemaking following this consultation.

Thank you again for your letter. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Tracy L. Renaud". The signature is written in a cursive, flowing style.

Tracy L. Renaud
Senior Official Performing the Duties of the Director