



Janet T. Mills  
GOVERNOR

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0001

March 25, 2021

The Honorable Alejandro Mayorkas  
Office of the Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

**RECEIVED**

**By ESEC at 9:10 am, Apr 21, 2022**

Dear Secretary Mayorkas:

For generations, Maine has been known to the world as a premier tourism destination. Every year, Mainers welcome millions to visit our state's rocky coastline, hike our state and national parks, ski at our top winter resorts, and dine on the world's best seafood.

A key part of our tourism economy infrastructure has long been the temporary foreign workers who help Maine businesses fill key shortages. These workers not only help businesses accommodate demand during peak visitation but are a critical part of sustaining and supporting year-round industry positions held by Maine residents. It is estimated that roughly one in seven Maine jobs are connected to tourism.

Like many states, Maine continues to face worker shortages in key sectors of our economy, including the tourism and hospitality industry. In 2021, Maine only received about half of the H-2B visas that our state typically relies on annually – exacerbating workforce challenges. Despite a record summer tourist season, lack of available visas forced many businesses to limit days or hours of operations, cutting into profits for both employers and Maine workers.

Earlier this year, I joined a bipartisan group of governors in urging President Biden to facilitate efforts to increase the number of available H-2B visas, and I am grateful that his administration recently made available 20,000 additional visas. Unfortunately, these visas are only available for the first half of the federal fiscal year; assistance is still needed for business that operate during Maine's summer tourism season, when nearly two-thirds of our annual visitors typically descend upon our state. **I urge you to take the steps necessary to quickly make additional visas available for the second half of the federal fiscal year.**

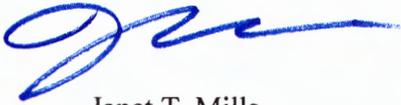
On April 13 and 14, Maine's tourism and hospitality industry will come together in Portland for the annual Governor's Conference on Tourism. We would welcome your attendance, or the participation of your designee, to hear from industry stakeholders on the vital role that temporary foreign workers play in sustaining and strengthening this critical part of our Maine's economy. If the Department is unable to attend the conference, my administration would be happy to arrange a virtual conversation with industry stakeholders at your convenience.



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Allowing H-2B visa recipients to work in our state is key to ensuring more businesses and workers can benefit from Maine's strong economic recovery. I thank you to your attention to this important matter.

Sincerely,



Janet T. Mills  
Governor



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**U.S. Citizenship  
and Immigration  
Services**

June 30, 2022

The Honorable Janet T. Mills  
Governor  
State of Maine  
1 State House Station  
Augusta, ME 04333

Dear Governor Mills:

Thank you for your March 25, 2022 letter to the Department of Homeland Security regarding making additional H-2B visa available for the second half of fiscal year 2022. Secretary Mayorkas asked that I respond on his behalf.

U.S. Citizenship and Immigration Services (USCIS) appreciates the concerns you raised regarding the challenges facing Maine’s employers who depend on foreign temporary workers to fill key jobs. On May 18, 2022, DHS and the Department of Labor jointly published a temporary final rule to provide a supplemental increase of 35,000 H-2B visas to help support American businesses and promote lawful immigration pathways to those seeking to enter the United States to work.<sup>1</sup> These visas are available to U.S. employers seeking to employ H-2B workers through September 30, 2022. Of these 35,000 visas, 23,500 were allotted to “returning workers” and 11,500 were allotted for nationals of El Salvador, Guatemala, Honduras, and Haiti, regardless of whether they are returning workers. The rule places a high priority on stronger worker protections.

While the returning worker cap was reached on May 31, 2022, USCIS continues to accept H-2B petitions for workers filing under the El Salvador, Guatemala, Honduras, and Haiti allotment. Moreover, USCIS continues to accept H-2B petitions that are exempt from the cap. These include petitions for current H-2B workers in the United States who wish to extend their stay and, if applicable, change the terms of their employment or their employers.

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<sup>1</sup> See *Exercise of Time-Limited Authority To Increase the Numerical Limitation for Second Half of FY 2022 for the H-2B Temporary Nonagricultural Worker Program and Portability Flexibility for H-2B Workers Seeking To Change Employers* 87 FR 30334 (May 18, 2022).

The Honorable Janet T. Mills

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We hope you found this information useful, please visit our dedicated H-2B webpage at, <https://www.uscis.gov/h-2b>, where you will find the most current information relating to this topic. Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please do not hesitate to contact Deputy Assistant Secretary for Intergovernmental Affairs Miriam Enriquez at 202-341-0809.

Sincerely,

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

Ur M. Jaddou  
Director