

**COUNTY COUNCIL OF DORCHESTER COUNTY**

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COUNTY ATTORNEY

April 23, 2020

The Honorable Chad F. Wolf  
Acting Secretary of Homeland Security  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20528

Dear Acting Secretary Wolf:

I am writing on behalf of the Dorchester County Council to express our support of the issuance of the remaining H-2B visas in order to meet the needs of small seasonal businesses. It is our understanding that only 13,000 H-2B visas of the statutory cap of 33,000 have been issued since many outdoor amusement, landscaping and hospitality businesses with an April 1 date of need have not brought in workers due to COVID-19.

Many small and seasonal business rely on seasonal H-2B workers during peak seasons throughout the year. In Dorchester County, the crabbing industry relies heavily on seasonal workers. Approximately 13 of the estimated 25 licensed crabmeat processing plants in Maryland are located in Dorchester County, with nine of those companies picking approximately 80% of Maryland's crabmeat. Unfortunately, the statutory allocation has fallen short of providing the necessary workers for this industry. Industries in other jurisdictions are suffering the same fate.

Due to the drastic impact the lack of seasonal H-2B workers is having on small and seasonal businesses, we urge you to consider publishing a rule to permit the issuance of the remaining visas. Thank you for your consideration. Please contact the Council's Office at (410) 228-1700 if you have any questions.

Sincerely,

DORCHESTER COUNTY COUNCIL

Jay L. Newcomb  
President

Jln/dl

cc: The Honorable Andy Harris, Congressman  
The Honorable Benjamin L. Cardin, Senator  
The Honorable Chris Van Hollen, Jr., Senator  
Bill Seiling, Executive Director, CBSIA



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

July 6, 2020

Jay L. Newcomb  
President  
County Council of Dorchester County  
County Office Building  
P.O. Box 26  
Cambridge, MD 21613

Dear Mr. Newcomb:

Thank you for your April 23, 2020 letter. The Acting Secretary asked that I respond on his behalf.

The Department of Homeland Security (DHS) has no greater responsibility than ensuring the safety and security of our country. Responding to the pandemic requires everyone to work within rapidly changing, complex circumstances that create a variety of situations and conditions unique to individuals and communities. DHS continues to act to protect the American people and our communities and is considering a number of policies and procedures to improve the employment opportunities of U.S. workers during this pandemic.

We recognize that there are immigration-related challenges that individuals, employers, and others face as a direct result of the national emergency. We carefully analyze these issues and leverage our resources to effectively address these challenges within our existing authorities.

In response to the COVID-19 pandemic, DHS published a temporary final rule to change H-2B requirements for certain eligible H-2B employers and workers to help secure the U.S. food supply chain and reduce the economic impact of the COVID-19 public health emergency. Under this temporary final rule, an H-2B petitioner with an approved temporary labor certification from the Department of Labor can start employing H-2B workers already in the United States for positions essential to the U.S. food supply chain, immediately after U.S. Citizenship and Immigration Services receives the H-2B petition and required documentation, but no earlier than the start date of employment listed on the petition. Additionally, the temporary final rule allows certain H-2B workers who are essential to the food supply chain to stay beyond the three-year maximum allowable period of stay in the United States. H-2B employers and U.S. agents can request the flexibilities authorized under the temporary final rule through September 11, 2020.

In addition, we continue to consider special circumstances and expedite requests of individual petitions on a case-by-case basis. We also note that we have resumed premium processing services for all eligible employment-based petitions.

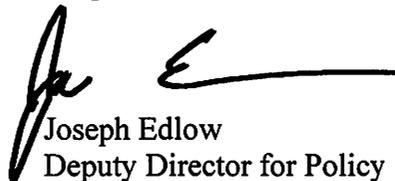
Mr. Jay L. Newcomb  
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At this time, there are no immediate plans to accept additional H-2B visa petitions subject to the cap, as H-2B workers with approved petitions for the second half of FY 2020 may continue to seek visas and/or admission to the United States prior to the last date stated on their approved petitions. DHS will continue to monitor this situation, however, and take appropriate action as necessary, to best ensure adherence to the statutory limit.

As we begin moving toward reopening the country, DHS remain steadfast in our commitment to protect the safety of the American people. We continue to closely monitor the evolving COVID-19 situation in order to protect our Nation, our workforce and communities, and to minimize the impact of COVID-19. Our website and outreach efforts provide guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times.

Thank you again for you letter and interest in this matter. We will consider the recommendations you have put forward.

Respectfully,



Joseph Edlow  
Deputy Director for Policy