



# NATURE'S IMAGE

a look that is intended

March 9, 2018

The Honorable Kirstjen M. Nielsen  
Secretary of Homeland Security  
Washington, D.C. 20528

Dear Honorable Kirstjen Nielsen,

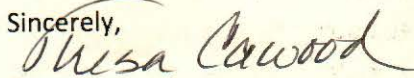
I am writing to you in regards to the 2018 CAP RELIEF for the H2B Visa for this year. The deadline is March 23, 2018. We are waiting for our returning workers that we have had in the past years that have helped us to grow to where we are today. They were supposed to be here in February, but the 33,000 cap was met before we were approved, so therefore we put in for April 1 2018. We ran 2 ads in the Springfield News Leader costing approx. \$3,000.00 and had absolutely NO ONE apply for the position. This is very concerning not only to our Landscape Business but to many other businesses that rely on dependable hard workers. This is a very serious problem for business in the state of Missouri along with the rest of the United States.

The H-2B program provides a vital and legal source of seasonal labor for small and seasonal businesses that cannot fill their labor needs with American citizens. The program has an annual cap that is inadequate to meet the needs of seasonal employers. The 33,000 H-2B cap for the first half of FY 2018 was reached on December 15, 2018 which we lost out, and the cap for the second half was met on February 27, 2018, leaving many employers without access to legal seasonal workers. If I cannot fill my job openings, I will be unable to meet obligations and will be forced to default on contracts, fail clients, lay off dedicated full time U.S. workers, cancel order with U.S. vendors and the list goes on and on.

I URGE you to include H2B CAP RELIEF language from the April 2017 Omnibus in the upcoming FY 18 Omnibus appropriations bill that will be negotiated between now and March 23.

The viability of my company is dependent on an IMMEDIATE RELEASE OF ADDITIONAL H2B WORKER VISAS so that my company and other affected American businesses can continue to provide for our American workers and their families.

Sincerely,

  
Tresa Cawood

Natures Image Landscape Contractors

1027 S. U.S. Highway 160

Nixa, Missouri 65714

417-840-3443

Landscape Contractors Design/Build  
417-724-8774 • 1027 S. Hwy 160 • Nixa, MO 65714 • Fax 417-724-8792  
[www.naturesimageinc.com](http://www.naturesimageinc.com)

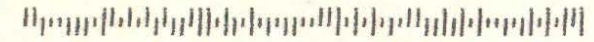
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Secretary of Homeland Security  
Washington D.C. 20528

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

August 27, 2018

Ms. Tresa Cawood  
Natures Image Landscape Contractors  
1027 S. U.S. Highway 160  
Nixa, Missouri 65714

Dear Ms. Cawood:

Thank you for your April 11, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

Your letter urges Secretary Nielsen and Secretary Acosta to approve additional H-2B petitions pursuant to the H-2B visa provisions contained in the Consolidated Appropriations Act, 2018 (Public Law 115-141), which was signed by the President on March 23, 2018.

This provision authorized Secretary Nielsen, in consultation with Secretary Acosta, to determine whether to increase, and if so, by how many (within specified parameters), the number of available H-2B visas for fiscal year (FY) 2018. In making her decision to increase the number of H-2B visas, the Secretary carefully weighed several factors, including whether U.S. workers may be harmed by any such increase.

On May 31, 2018, the U.S. Department of Homeland Security (DHS) and U.S. Department of Labor published a temporary final rule increasing the cap on H-2B nonimmigrant visas by up to 15,000 additional visas through the end of FY 2018. The Secretary does not intend to reopen the supplemental cap for FY 2018.

As with the essentially identical provision in the FY 2017 Omnibus, DHS did not ask for, and does not believe it is appropriate to have, the discretion to authorize the issuance of additional H-2B visas, in general, and specifically under a supplemental cap. I share Secretary Nielsen's opinion that Members of Congress have the best information to know the correct number of H-2B visas needed to support American businesses without harming American workers because congressional representatives have the best understanding of their constituencies and the needs of their local employers.

Further, I share the Secretary's desire to work together with Congress to find solutions to most effectively allocate available H-2B visas throughout the year, while also protecting U.S. workers in the process. DHS will be submitting a congressionally mandated report that details options for addressing the issue of late-season filers in the H-2B program, resulting in their inability to obtain H-2B workers. This report will include suggestions on how the program

Ms. Tresa Cawood  
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can better serve our national interest. In the meantime, DHS continues to take steps of its own in this regard, including advising members of the public who may have information about a participating employer who is abusing the H-2B program on how to file a report through [ReportH2BAbuse@uscis.dhs.gov](mailto:ReportH2BAbuse@uscis.dhs.gov).

Thank you again for your letter and interest in this important issue. Please share this response with the cosigners of your letter. Should you wish to discuss these matters further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "L. Francis Cissna". The letters are stylized and cursive.

L. Francis Cissna  
Director