



LARRY HOGAN
GOVERNOR

STATE OF MARYLAND
OFFICE OF THE GOVERNOR

April 23, 2018

The Honorable Kirstjen Nielsen
Secretary, U.S. Department of Homeland Security
301 7th St SW # 3621
Washington, DC 20407

The Honorable Alexander Acosta
Secretary, U.S. Department of Labor
200 Constitution Ave NW
Washington, DC 20210

SCANNED/RECEIVED
BY ESEC SEC
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Dear Secretary Nielsen and Secretary Acosta:

On behalf of Maryland's seafood processors and our last remaining sweet corn cannery, I request that you take immediate action to implement the H-2B Nonimmigrant Temporary Worker Program visa increase authorized by Congress on March 23, 2018. H-2B workers are critical for the seasonal blue crab industry and sweet corn processors. Crab harvest in Maryland opened April 1, and I have been advised by thirty Maryland businesses and organizations that there will be no season in Maryland if we cannot get guest workers.

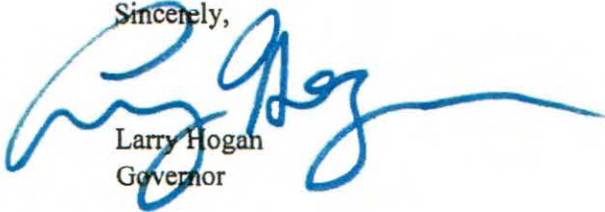
Many of these businesses operate in rural parts of our state and have relied on guest workers for decades. They will be forced to shut their doors or start importing crab meat if this issue is not addressed immediately. Either of those actions would have far-reaching consequences that would negatively affect Maryland workers who support the industry from the commercial watermen who catch the crabs, to wholesalers, distributors, retailers, and restaurants.

In fact, each one of the nearly four hundred seafood guest workers in Maryland helps create another 2.54 American jobs, according to a University of Maryland study. Without this important source of seasonal labor, the Maryland seafood industry cannot operate. This means more than 1,000 Maryland jobs would be lost along with a negative economic impact of more than \$9 million.

Accordingly, I am requesting that DHS provide immediate H-2B cap relief as a temporary fix to help these Maryland companies stay in business. I also urge the Administration to consider supporting a long term legislative solution, such as the Returning Worker Exemption (RWE).

Thank you for your attention to this important issue. Should you need additional information, please do not hesitate to contact my office.

Sincerely,



Larry Hogan
Governor



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

August 27, 2018

The Honorable Larry Hogan
Governor of Maryland
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

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

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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.

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