

TED S. YOHO, DVM
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September 5, 2018

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

Dear Secretary Nielsen,

I write to ask that you make available additional H-2B visas for activities related to the management and training of equines for the remainder of Fiscal Year 2018.

Section 205 of the Consolidated Appropriations Act gave the Secretary of Homeland Security authority to increase the amount of H-2B visas to meet the needs of American businesses that cannot be satisfied with American workers. The legislation allowed for the Secretary to provide up to 63,547 additional H-2B visas, but only 15,000 were made available.

Recently, the United States Citizenship and Immigration Services announced that it is no longer accepting petitions for the additional H-2B visas under this rule.

The equine industry is burdened with scarce domestic labor. Employers that seek out domestic labor struggle to attract local workers, and if they are successful, those employees often vacate the position after a few days or weeks. Because the H-2A program does not include the management and training of equines, the only option available for employers to hire foreign labor is the H-2B program.

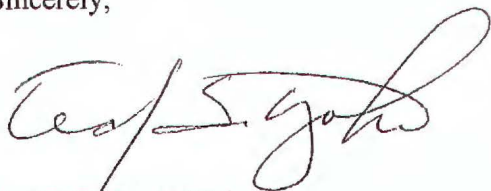
I am concerned about how this limitation will affect those in need of labor in the equine management and training industry. Without additional H-2B visas for the remainder of Fiscal Year 2018, or the availability of the returning worker exemption, I am concerned that employers in the equine industry will be unduly burdened. These businesses deserve the certainty that necessary labor is available so they can operate at full capacity until a more permanent solution is created. According to the American Horse Council, in Florida the equine industry accounts for

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73,227 jobs and \$6.8 billion in value added to the state economy. Nationally the industry supplies 988,000 jobs and \$122 billion to the national economy.

I respectfully ask for your consideration of my request for this vital industry and make additional H-2B visas available in Fiscal Year 2018 for employers involved in the management and training of equines.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted S. Yoho". The signature is fluid and cursive, with a large loop at the end of the last name.

Ted S. Yoho, DVM

Member of Congress



U.S. Citizenship
and Immigration
Services

September 18, 2018

The Honorable Ted S. Yoho
U.S. House of Representatives
Washington, DC 20515

Dear Representative Yoho:

Thank you for your September 5, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

In your letter, you request that the Secretary exercise her authority to release additional H-2B visas for employers involved in the management and training of equines for the remainder of Fiscal Year (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, the Department did not ask for the authority to increase the cap and does not believe that giving the Department such authority is the most effective way of addressing employer concerns about the supply of H-2B visas. Nevertheless, having been delegated this responsibility by Congress, the Secretary felt it was necessary to authorize additional H-2B visas to help seasonal employers stay in business, thereby protecting the jobs of their American workers.

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 limit H-2B visas to employers with truly temporary needs, and to find solutions to most effectively allocate available H-2B visas throughout the year. I appreciate your own involvement in efforts to improve the H-2B program. In the coming months, DHS will be submitting a congressionally mandated report that details options for addressing the issue of late-season filers in the H-2B program that are currently unable to obtain H-2B workers. This report will include suggestions on how the program can better serve our national interest. In the meantime, DHS continues to take steps of its own in this regard, including by inviting members of the public having information that a participating employer may be abusing the H-2B program to submit the information to ReportH2BAbuse@uscis.dhs.gov.

The Honorable Ted S. Yoho
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Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the U.S. Citizenship and Immigration Services Office of Legislative and Intergovernmental Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, appearing to read "L. Francis Cissna". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

L. Francis Cissna
Director