

MARK DESAULNIER
11TH DISTRICT, CALIFORNIA

COMMITTEE ON EDUCATION AND
THE WORKFORCE

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM

Congress of the United States
House of Representatives
Washington, DC 20515

115 CANNON HOUSE OFFICE BUILDING
PHONE: (202) 225-2095
FAX: (202) 225-5609

3100 OAK ROAD, SUITE 110
WALNUT CREEK, CA 94597
PHONE: (925) 933-2660
FAX: (925) 933-2677

440 CIVIC CENTER PLAZA, 2ND FLOOR
RICHMOND, CA 94804
PHONE: (510) 620-1000
FAX: (510) 620-1005

May 21, 2019

The Honorable Kevin K. McAleenan
Acting Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave, SE
Washington, D.C. 20528

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

Dear Acting Secretary McAleenan and Secretary Acosta:

I am writing to express my concern with the rules recently proposed by the Departments of Homeland Security and Labor (RIN 1205-AB90 and RIN 1205-AB91 respectively) to stop placing ads for agriculture jobs in local newspapers. This short-sighted plan will not only reduce visibility of these jobs, but may negatively impact local papers that rely heavily on the revenue from these ads.

Current federal policy of placing ads for agricultural work in local newspapers serves a dual purpose – protecting access to jobs for American workers and supporting local news organizations that provide an essential service to the public. These proposed rules fail the public on both counts. While many Americans now access job information via the internet, as many as one-third of American workers continue to learn of job opportunities through print newspapers.¹ Eliminating these postings will disadvantage millions of American job seekers.

No less important is the impact of these rules on the local news industry. Newspapers have been a vital source of information to the American public for over two-hundred years. Consumption of local newspapers has declined consistently over the last several decades in no small part due to increased operations costs and a loss of revenue, particularly from ads that have moved online. The elimination of these ads would contribute to the end of newspapers that rely upon ads like these as revenue to continue providing high-quality local news coverage.

The reduction in revenue for local papers and loss of these publications has cascading economic impacts. From 2008 to 2017, newsroom employment in the U.S. dropped by 23%. The resulting loss of jobs in this industry combined with those job seekers who would not have access to job postings if they were no longer in local papers contradict the Administration's stated goals of economic vitality and access to increased employment opportunities for American workers. I encourage you to reconsider these rules, and I look forward to your response.

Sincerely,



Mark DeSaulnier
Member of Congress

¹ <https://www.mercurynews.com/2019/05/09/editorial-trump-visa-changes-threaten-jobs-and-journalism/>



U.S. Citizenship
and Immigration
Services

August 15, 2019

The Honorable Mark DeSaulnier
U.S. House of Representatives
Washington, DC 20515

Dear Representative DeSaulnier:

Thank you for your May 21, 2019 letter. Acting Secretary McAleenan asked that I respond on his behalf.

On November 9, 2018, the U.S. Department of Homeland Security (DHS), jointly with the U.S. Department of Labor (DOL), published the Modernizing Recruitment Requirements for the Temporary Employment of H-2B Foreign Workers in the United States notice of proposed rulemaking (NPRM). Among other changes, this NPRM proposes to require posting of advertisements on the internet for at least 14 days, replacing the print newspaper advertisements that regulations currently require. The comment period ended on December 28, 2018. During the same time period, DOL published and accepted comments on a similar proposal with respect to the H-2A temporary agricultural worker program.

Unfortunately, I am not in the position to comment on the substantive aspects of the joint DHS-DOL rule given that the rulemaking process remains underway.

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 that reads "Ken C II".

Ken Cuccinelli II
Acting Director