

United States Senate

WASHINGTON, DC 20510-2003

April 28, 2015

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Johnson:

I am writing to request that the Department of Homeland Security (DHS) conduct an immediate & expedited audit on the number of non-immigrant H-2B visas that have been both requested *and* used in 2015. Any unused visas uncovered as a part of this audit should be promptly made available to eligible businesses that have been unable to secure workers due to the cap being reached.

I requested a similar audit of requested vs. allocated & used visas when the cap was reached in 2009. At that time, DHS concluded that more than 20,000 visas were, in fact, unused.

Secretary Johnson, the lack of available temporary foreign workers has caused chaos among businesses in MD that depend on the H-2B program. More than 40% of Maryland's seafood processors have been unable to get the workers they need for the 2015 crab season. Businesses that did have visas approved were still unable to cross workers due to the uncertainty that has plagued the H-2B program this year. This is unacceptable.

These businesses need a government on their side. Every time there is a bureaucratic rule change or legal interpretation that harms their ability to operate their business, they lose another piece of their livelihood. They need a functioning H-2B program.

Again, I urge you to conduct an expedited audit on the number of non-immigrant H-2B visas that have been both requested *and* approved and used in 2015, and to re-allocate any unused visas to eligible businesses that have been unable to secure workers due to the cap being reached.

Thank you for your prompt attention to this matter.

Sincerely,



Barbara A. Mikulski
U.S. Senator