



Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor  
Mark Belton, Secretary  
Joanne Throwe, Deputy Secretary

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BY ESEC SEC  
2018 MAY -7 PM 12:04

April 16, 2018

The Honorable Kirstjen M. Nielson  
Secretary of Homeland Security  
Washington, DC 20528

Secretary Nielson,

On behalf of the state of Maryland's blue crab industry, I am asking for your support in increasing the number of visas available for the H-2B Temporary Non-Agricultural Labor Certification Program. I am also asking for the visas to be granted in a timely manner to meet business needs.

According to the United States Department of Labor, in the first quarter of 2018, the state of Maryland ranks among the top 10 states with the highest number of positions certified under the H-2B Temporary Non-Agricultural Labor Certification Program. Historically, Maryland employers have requested thousands of positions, including 3,394 positions requested in 2016. Of those, 373 positions were granted to meat, poultry, fish cutters and trimmers (Department of Labor/Office of Foreign Labor Certification).

Maryland's eastern shore is home to some the nation's largest blue crab related businesses, harvesting and processing nearly 50 percent of all blue crabs nationally. Annually, the blue crab industry as a whole contributes nearly \$600 million to the state's economy.

A majority of these processing plants rely heavily on the skilled labor of individuals who apply and are granted visas under the program. It is essential to maintain the number of workers and more essential that the Maryland seafood industry has access to the visas they need. Work at the processing plants cannot be performed adequately without these workers. Please grant the appropriate visas to clear the way for their arrival.

If you have any questions or comments, please contact David Blazer, Director, Fishing and Boating Services at [david.blazer@maryland.gov](mailto:david.blazer@maryland.gov) or 410-260-8281. Thank you for your consideration on this matter.

Kind regards,

Mark Belton  
Secretary

Tawes State Office Building - 580 Taylor Avenue - Annapolis, Maryland 21401  
410-260-8DNR or toll free in Maryland 877-620-8DNR - [dnr.maryland.gov](http://dnr.maryland.gov) - TTY Users Call via the Maryland Relay



MARYLAND DEPARTMENT OF NATURAL RESOURCES  
Office of the Secretary  
Tawes State Office Building  
580 Taylor Avenue  
Annapolis, Maryland 21401

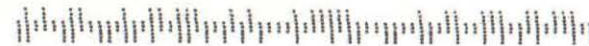


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The Honorable Kirstjen M. Nielson  
Secretary of Homeland Security  
Washington, DC 20528







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

August 27, 2018

Mr. Mark Belton  
Secretary  
Maryland Department of Natural Resources  
580 Taylor Avenue  
Annapolis, Maryland 21401

Dear Mr. Belton:

Thank you for your April 16, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

Your letter urges Secretary Nielsen 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

Mr. Mark Belton

Page 2

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. Should you wish to discuss these matters further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Francis Cissna". The signature is stylized with a large "L" and a cursive "Cissna".

L. Francis Cissna  
Director