

Congress of the United States
Washington, DC 20515

February 19, 2016

Secretary Thomas Perez
U.S. Department of Labor
200 Constitution Ave., N.W.
Washington, D.C. 20210

Dear Secretary Perez,

Seasonal employers in many U.S. industries, including seafood processors, landscapers, and hotels rely on seasonal labor to support their businesses during the busy season, so they are able to keep the doors open year round. We are currently hearing from an increasing number of small and seasonal businesses throughout the state of Louisiana, that they are dangerously close to having to permanently close their doors due to inaction from the Department of Labor. This is exactly what we in Congress were trying to prevent by including language in 2016 Consolidated Appropriations Act addressing the H-2B visa worker program.

Throughout Louisiana, crawfish season is in full effect. Most of the companies who process and peel crawfish are small businesses that can only succeed if they have a robust workforce. Unfortunately, this industry heavily relies on the H-2B visa program and many are struggling to get their applications processed. In fact, the State of Louisiana stands to lose between \$5.3-\$11.3 million in economic impacts from companies who may have to shut down because they cannot get the workforce they desperately need. This is simply unacceptable. The Department of Labor must do a better job of administering these certifications in a timely and predictable manner, and coordinating with the Department of Homeland Security so that American productivity does not suffer.

Additionally, in the Consolidated Appropriations Act of 2016, Congress agreed that the use of private wage surveys would again be permitted. However, according to many business owners throughout the state, unless the Department of Labor clarifies that the previously denied Louisiana State University Ag Center wage surveys are now acceptable, their use will not be permitted. If not, a number of businesses have expressed concern that there will be a wage inequity depending on when a business applied for their H-2B workers.

Finally, the timely processing of these private wage determinations and temporary labor certifications continues to be paramount. Employers simply cannot afford to wait anywhere from 60-70 days to be able to petition the Department of Homeland Security. In the past, the Department of Labor was able to process a large majority of these visas within 30 days. We expect to see that standard met again, and quickly.

We cannot stress enough that seasonal workers are crucial for the success of many small and seasonal businesses throughout the United States, and particularly in our home state of Louisiana. As you know, employers wishing to utilize the H-2B program are required to establish that there are not a sufficient number of capable and qualified American workers to fill these seasonal jobs before they can apply for the program. Without seasonal workers during

peak cycles, many businesses cannot afford to employ American workers the rest of the year. In fact, a recent study by Louisiana State University found that every H-2B visa worker supports four American jobs.

We look forward to your timely response.

Sincerely,



Charles W. Boustany, Jr., M.D.
Member of Congress



Steve Scalise
Member of Congress



Garret Graves
Member of Congress