



July 2017

Subject: The H-2B Program

BACKGROUND:

Landscape services companies are stewards of the environment, helping local communities to enhance and maintain the health and beauty of their green spaces. These companies also provide U.S. jobs and contribute to the local and national economy. Landscape companies will continue to grow and add jobs provided they have access to a functioning seasonal H-2B program. Seasonal workers help support many upstream and downstream jobs. Every H-2B worker is estimated to create and sustain 4.64 American jobs.

REQUESTED ACTIONS:

- **PLEASE URGE THE DEPARTMENTS OF HOMELAND SECURITY AND LABOR TO RAISE THE H-2B CAP FOR THE REMAINDER OF FISCAL 2017, AS IS ALLOWED BY THE CONSOLIDATED APPROPRIATIONS ACT OF 2017.**
- **PLEASE INCLUDE H-2B CAP RELIEF IN THE DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS LEGISLATION OR OTHER APPROPRIATE LEGISLATION FOR FISCAL YEAR 2018.**
- **PLEASE CO-SPONSOR S. 792, SAVE OUR SMALL AND SEASONAL BUSINESSES ACT OF 2017 OR H.R. 2004, STRENGTHEN EMPLOYMENT AND SEASONAL OPPORTUNITIES NOW (SEASON) ACT.**

Unfortunately, the program's annual 66,000 cap (33,000 for each half of the fiscal year) is not adequate to meet the demands of a growing economy. In 2015, many landscape companies suffered significant financial losses because the cap prevented them from using the H-2B program. These companies were spared that same fate in 2016 because Congress renewed the expired H-2B returning worker exemption. For fiscal 2017, Congress passed appropriations legislation that gave the Secretary of Homeland Security, in consultation with the Secretary of Labor, the authority to raise the H-2B cap. Sadly the Departments have not exercised this option to date and many landscape companies continue to suffer without vital seasonal laborers.

The H-2B program is extremely costly and complicated for landscape professionals to use, yet employers turn to the program because it is the only way they are able to hire legal seasonal workers. The program requires employers to undertake extensive recruitment of American workers, gain approval from four government agencies, and pay a premium wage. The program is expensive and burdensome, but employers continue to use it because they have no other option.

Congress must urge the Departments of Homeland Security and Labor to raise the H-2B cap for the remainder of fiscal 2017, as is allowed by the Consolidated Appropriations Act of 2017. We also urge Congress to pass short term cap relief for fiscal year 2018 and pass permanent H-2B reform along the lines of the "Save our Small and Seasonal Businesses Act" (S 792) and the "Strengthen Employment and Seasonal Opportunities Now (SEASON) Act" (HR 2004). These bills would provide H-2B cap relief and greater program processing efficiencies while ensuring that American workers are not displaced.