

Congress poised to pass limited H-2B cap relief!

Late yesterday, Congress reached a bipartisan agreement on a bill to fund the federal government through September 30, 2017. **Thanks to a massive effort from everyone in the H-2B community, the bill contains limited H-2B cap relief.**

The House and Senate are expected to pass the bill this week and send it to President Trump for his signature before Friday. This agreement essentially ends the chance of a government shut down next week.

The bill provides the Secretary of Homeland Security, in consultation with the Secretary of Labor, the authority to raise the H-2B cap when he determines that there is an economic need. It limits the total number of H-2B workers to that may enter the U.S. during fiscal 2017 to 129,547, the number of new and returning H-2B workers admitted to the U.S. in fiscal 2007. After the bill becomes law, we must work with the Administration to encourage the Secretary of Homeland Security to implement this provision.

The bill contains the following language:

SEC. 543. Notwithstanding the numerical limitation set forth in section 214(g)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of Homeland Security, after consultation with the Secretary of Labor, and upon the determination that the needs of American businesses cannot be satisfied in fiscal year 2017 with United States workers who are willing, qualified, and able to perform temporary nonagricultural labor, may increase the total number of aliens who may receive a visa under section 101(a)(15)(H)(ii)(b) of such Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in such fiscal year above such limitation by not more than the highest number of H-2B nonimmigrants who participated in the H-2B returning worker program in any fiscal year in which returning workers were exempt from such numerical limitation.

We will provide additional updates as the bill moves through the legislative process. Thanks again to everyone for the tremendous outreach to lawmakers. Your voices were heard on Capitol Hill.

Your H-2B Workforce Coalition Co-chairs

Laurie-Ann Flanagan, representing AmericanHort and the National Association of Landscape Professionals

Gregg Hartley, representing the Outdoor Amusement Business Association

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