



STATE OF MARYLAND
OFFICE OF THE GOVERNOR

LARRY HOGAN
GOVERNOR

March 23, 2021

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
St. Elizabeth's Campus
2703 Martin Luther King Jr Ave SE
Washington, DC 20593

The Honorable Marty Walsh
Secretary
U.S. Department of Labor
200 Constitution Ave NW #C-2318
Washington, DC 20210

Dear Secretary Mayorkas and Secretary Walsh:

Congratulations on your recent confirmations as secretary of Homeland Security and secretary of Labor. I wish you the best of luck as you embark on your new roles serving the American people. With countless challenges facing our nation as we battle the COVID-19 pandemic, I want to highlight an issue of particular concern to Maryland: the plight of our seafood industry due to failed federal policy.

In support of Maryland's seafood industry and other seasonal employers, I request that you take immediate action to eliminate the unfair lottery system and increase the number of H-2B Nonimmigrant Temporary Worker Program visas—now capped at 66,000—to the maximum allowable under federal law and under the legislative language included in the omnibus bill. That language authorizes the secretary of Homeland Security to increase the total number of H-2B workers who are eligible for a visa under section 101(a)(15)(H)(ii)(b) “to the highest number of H-2B workers who participated in the H-2B returning worker program in any fiscal year in which returning workers were exempt from the numerical cap.” These essential workers are vital to Maryland's seafood industry and market, which has grown to include regional, national, and international reach.

As you know, the COVID-19 pandemic has had a devastating impact on countless industries across the country, including the seafood industry. Maryland has fought to support the industry and to find creative ways to protect our markets and workers. Any potential loss of H-2B workers will negate that work, disrupt an already abnormal supply chain, jeopardize the state's \$355 million seafood industry, and threaten thousands of direct and indirect jobs. In fact, research conducted by

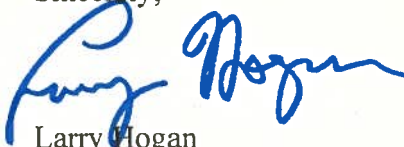
the University of Maryland indicates that every H-2B temporary worker in crab processing helps create an average 2.5 jobs for American citizens.

Maryland's blue crab harvest season starts on April 1. The Chesapeake Bay's blue crab harvest is among the most sustainable in the world, as it is carefully managed by the state and broader region. In a typical year, 450 H-2B seasonal workers are needed to process this sustainable catch for Maryland's 23 crab picking houses that account for approximately 95% of industry production. The existing lottery system creates an unfair playing field by providing workers for some of these processors, but not others. Without these temporary workers, and without an end to the arbitrary lottery system, local Maryland seafood processors will be unable to open for business or be forced to significantly reduce their operations. Continued hardship could permanently damage America's seafood industry, causing these iconic family and small businesses to close here in Maryland, especially those on the Eastern Shore.

In closing, I ask that you immediately implement these provisions in the short term and that you partner with Congress to find a long-term solution to this issue, which has plagued the seafood industry for over a decade.

Thank you for your consideration of our request, and I look forward to working with you on this key priority for Maryland. Should you wish to visit a Chesapeake Bay crab house or processor to learn about the situation directly, Maryland would be glad to host you. Please do not hesitate to contact my Director of Federal Relations, Tiffany Waddell, at tiffany.waddell@maryland.gov with additional questions.

Sincerely,



Larry Hogan
Governor

cc: Maryland Congressional Delegation