



April 1, 2021

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, DC 20528

Dear Secretary Mayorkas:

The National Roofing Contractors Association (NRCA) strongly urges you to expeditiously provide additional visas for the H-2B seasonal visa program for fiscal year 2021 in accord with surging demand for employees in construction and other industries. The problem of workforce shortages in the roofing industry continues to intensify and providing H-2B visas in line with demand is the only short-term policy tool available to help address this urgent matter.

Established in 1886, NRCA is one of the nation's oldest trade associations and the voice of professional roofing industry employers worldwide. NRCA's nearly 4,000 member companies represent all segments of the industry, including contractors, manufacturers, distributors, consultants and other roofing industry employers in all 50 states. NRCA members typically are small, privately held companies with the average member employing 45 people and attaining sales of about \$4.5 million per year.

As you know, Congress provided the Biden administration with the authority to approve additional visas under the H-2B Nonimmigrant Temporary Worker program in appropriations legislation enacted in December. It is our understanding that you may use this new authority to provide additional visas in accord with market conditions without rulemaking, and NRCA urges you to do so as soon as possible. Decisive action is necessary to ensure that seasonal businesses get the workers they need to meet consumer demand.

The H-2B program is critical to many employers who routinely cannot find local workers to fill job openings during the busy summer season. The program enables businesses to operate at greater capacity during peak season, retain their full-time workers and contribute more to their local and state economies. Seasonal workers help support many upstream and downstream jobs. In fact, every H-2B worker is estimated to create and sustain 4.64 American jobs, according to a study commissioned by Immigration Works USA and the U.S. Chamber of Commerce.

While the H-2B program is costly and complicated for employers to use, some contractors turn to it because it is the only way they can hire legal seasonal employees at this time. The program requires employers to undertake extensive recruitment of American workers, gain approval from government agencies and pay a premium wage, among other requirements.

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Unfortunately, the program's annual statutory 66,000 cap (33,000 for each half of the fiscal year) on visas, which has not been updated since 1992, is woefully inadequate to meet the demands of today's economy. Given that the program is oversubscribed for 2021, many employers will be shut out of obtaining the workers they need unless the Biden administration uses the authority provided by Congress to issue additional visas according to economic demand. Without additional visas being made available, it will be much more difficult for employers to utilize the H-2B program this year, causing them to turn away customers and reduce the level of work for their American workers. For many employers this will cause substantial harm to their business. Moreover, failure to provide additional H-2B visas will harm employers who abide by the rules and reward those that do not.

Again, NRCA strongly urges you to expeditiously provide additional H-2B visas for 2021 in accord with the surging demand in a growing economy. Such action will be beneficial to employers, their existing employees and the employees who gain the opportunity to work because of your action.

Thank you for your careful consideration of NRCA's views on this important issue. If you have questions or need more information, please contact Duane Musser, NRCA's vice president of government relations, at 202-546-7584 or dmusser@nrca.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Reid Ribble". The signature is written in a cursive, flowing style.

Reid Ribble
Chief Executive Officer

CC: Marty Walsh, Secretary of Labor