



Congress of the United States
House of Representatives
Washington, DC 20515

July 8, 2022

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

RECEIVED
By ESEC at 1:55 pm, Jul 14, 2022

Dear Secretary Mayorkas:

The shrimping industry plays a vital role in the economy of South Texas. Its reach extends beyond shrimping operations – restaurants, grocery stores, and other local businesses rely on the shrimping industry as core to their business operations.

As South Texas approaches the start of the shrimping season on July 15th, operators in my district face a labor shortage that could ripple throughout not just our region's economy but the economy of the entire United States. The one-to-two-month shrimping season that begins in a week brings in about 40% of these companies' profits each year. To meet the business demand, the shrimping industry relies on nationals from Central America working on H-2B visas to fill these seasonal jobs. As we approach the start of shrimping season, the more than 120 shrimpers in the Brownsville-Port Isabel region of Texas only have about 30 workers from El Salvador of the 260 needed by the season opening next week.

To meet the demand and prevent irreparable harm to our regional economy, I implore you to assist South Texas shrimpers. I ask you to set aside the 260 H-2B visas specifically for shrimping operations, which the industry believes could quickly be filled by workers from Mexico so operations can kick into high gear as soon as the season opens July 15th.

Moving forward, industry representatives are already working with the U.S. Consulate in Honduras to identify and process Honduran nationals to work next season. The shrimping industry pays its workers great wages and have a great record using the H-2B visa program since 1987. I respectfully request you prioritize processing H-2B visas for the shrimpers in Texas so they can support the South Texas economy.

Sincerely,

A handwritten signature in blue ink that reads "Mayra Flores".

Mayra Flores
Member of Congress



U.S. Citizenship
and Immigration
Services

August 2, 2022

The Honorable Mayra Flores
U.S. House of Representatives
Washington, DC 20515

Dear Representative Flores:

Thank you for your July 8, 2022 letter to the Department of Homeland Security (DHS). Secretary Mayorkas asked that I respond on his behalf.

U.S. Citizenship and Immigration Services (USCIS) appreciates the concerns you raised regarding labor challenges facing South Texas shrimpers who rely on the H-2B nonimmigrant temporary non-agricultural worker program when unable to employ U.S workers. In your letter, you asked DHS to set aside 260 visas for the shrimping industry to be filled by workers from Mexico, and to prioritize processing of H-2B petitions for Texas shrimpers.

While DHS may not have authority to set aside H-2B visas for specific industries or regions within the United States, we note that some visas remain available under a temporary final rule¹ published by DHS and the Department of Labor on May 18, 2022, which increased the annual cap by up to 35,000 additional H-2B nonimmigrant visas through the end of fiscal year 2022. Specifically, although USCIS has received enough petitions to reach the cap for the additional 23,500 visas made available for returning workers only, we continue to accept petitions for H-2B nonimmigrant workers for the additional 11,500 visas allotted for nationals of El Salvador, Guatemala, Honduras and Haiti, regardless of whether they are returning workers.

Moreover, USCIS continues to accept H-2B petitions that are exempt from the cap. These include petitions for current H-2B workers in the United States who wish to extend their stay and, if applicable, change the terms of their employment or their employers.

With respect to your request to prioritize processing of H-2B petitions for Texas shrimpers, we note that USCIS offers premium processing for H-2B petitions. Premium processing provides expedited processing for a fee for certain benefit requests. Additional information is available on the USCIS website².

¹ <https://www.federalregister.gov/documents/2022/05/18/2022-10631/exercise-of-time-limited-authority-to-increase-the-numerical-limitation-for-second-half-of-fy-2022>

² <https://www.uscis.gov/forms/all-forms/how-do-i-request-premium-processing>

The Honorable Mayra Flores

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Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou
Director