



Congress of the United States
House of Representatives

March 13, 2015

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
Nebraska Avenue Complex
3801 Nebraska Avenue, N.W.
Washington, D.C.
20528

Dear Secretary Johnson,

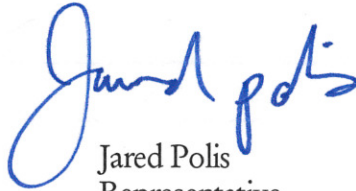
I write you to express my deep concern about the sudden suspension of H-2B non-immigrant visa program by U.S. Citizenship and Immigration Services in response to an order issued in *Perez v. Perez* (No. 3:14-cv-682) in Florida on March 4, 2015. While I obviously respect the fact that the Department of Homeland Security (DHS) and the Department of Labor (DOL) are bound by the District Court's decision vacating and permanently enjoining DOL's 2008 H-2B regulations, I am nevertheless frustrated by the fact that the DHS did not develop a contingency plan to help serve the countless businesses that rely on the H-2B visa program throughout the United States in spite of the fact that this litigation has been pending since last year. I respectfully urge you to direct the DHS to work with the Office of Management and Budget in issuing an interim final rule to address this issue immediately.

The H-2B visa program is a vital component of Colorado's economy, helping businesses in my District, and across the state, access the workers they need in order to effectively conduct their day-to-day operations. Our economy relies heavily on small businesses like a family-owned quarry and sandstone business in Lyons, Colorado, that contacted my office earlier this week to express their fear that they will not be able to secure the 20 additional employees that they will need during their 2015 season. If the H-2B program is not reinstated immediately, this company will not only fail to fulfill its contracts, but it will also be unable to move forward with a planned expansion of its operations for a significant period of time. Moreover, my office has received several inquiries from local landscaping businesses expressing deep concern that this issue could undermine their overall business models due to their heavy reliance on the H-2B non-immigrant visa program.

Many of the businesses in Colorado's Second Congressional District are intertwined with our region's world-class tourism and outdoor recreation industry – an industry that contributes billions to our State's economy annually. This economic impact will suffer if the DHS does not reinstate the H-2B non-immigrant visa program as quickly as possible. Hotels, ski areas, and the businesses that rely on them are all threatened due to their heavy reliance on H-2B workers. I therefore urge you to provide much-needed relief and certainty to the businesses in my District, and across the country, by directing the DHS to issue an interim final rule to address this issue as expeditiously as possible.

The extraordinarily time-sensitive nature of this program requires an immediate and workable solution for businesses and local economies throughout the U.S. Every day that businesses are unable to access this important program is another day that they are unable to provide their services, costing jobs, and negatively impacting local economies. DHS must therefore resume the adjudication of these petitions as quickly as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Polis". The signature is fluid and cursive, with the first name "Jared" being more prominent than the last name "Polis".

Jared Polis
Representative