



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

October 30, 2007

The Honorable Alan Mollohan
Chairman
Subcommittee on Commerce, Justice, Science
and Related Agencies
House Committee on Appropriations
Washington, DC 20515

The Honorable Rodney P. Frelinghuysen
Ranking Member
Subcommittee on Commerce, Justice, Science
and Related Agencies
House Committee on Appropriations
Washington, DC 20515

Dear Chairman Mollohan and Ranking Member Frelinghuysen:

As the House and Senate begin final consideration of the fiscal year 2008 Commerce, Justice, Science and Related Agencies Appropriations bill, we urge you to uphold language included in the Senate bill to extend the H-2B returning worker program. This vital extension will help small and seasonal businesses fill their seasonal labor needs and keep full-time Americans working.

The H-2B visa program was created to provide access to non-immigrant, temporary workers for seasonal and peak load needs when no American workers can be found. Foreign workers offer small and seasonal businesses short-term help and return to their home country at the end of their season. H-2B visas are capped at 66,000 visas per year. Even with 66,000 visas a year, it still does not meet the labor needs of seasonal businesses.

To help fill the additional need for temporary workers, Congress established a two year program in 2005 that exempted returning workers who have received an H-2B visa in one of the three previous fiscal years from counting against the 66,000 H-2B visa cap. Last year, Congress included a one year extension of the program in the National Defense Authorization Act.

This year, the Senate FY 2008 Commerce, Justice, Science and Related Agencies Appropriations bill includes a much needed one year extension of the returning worker provision which expired on September 30, 2007.

In fiscal year 2006, the U.S. admitted 122,511 foreign workers under the H-2B visa program. According to U.S. Citizenship and Immigration Services (USCIS), 50,854 of these workers were admitted under the returning worker provision and were not counted against the cap. These returning workers have provided relief to the tourism industry, seafood processors, landscapers, resorts, pool companies, carnivals and other small and seasonal businesses across the nation that

rely on the H-2B Visa program. Without an extension, these businesses will face labor shortages this year.

On September 27, 2007, USCIS had already received enough petitions to exceed the cap for H-2B visas for the first half of FY 2008. Reaching the H-2B cap four days before the start of the new fiscal year highlights the immediate need for Congress to extend the returning worker program

We, the undersigned co-sponsors of the Save Our Small and Seasonal Businesses Act of 2007 (H.R. 1843), are asking you to take action and support the one year extension of the H-2B returning worker provision in the conference report for the FY 2008 Commerce, Justice, Science and Related Agencies Appropriations bill.

Sincerely,

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