



November 7, 2007

The Honorable Barbara Mikulski
Chairman
U.S. Senate Subcommittee
on Commerce, Justice,
Science, and Related Agencies
SD-144
Washington, D.C. 20510

The Honorable Alan B. Mollohan
Chairman
U.S. House of Representatives
Subcommittee on Commerce, Justice,
Science, and Related Agencies
H-309
Washington, D.C. 20515

Dear Chairman Mikulski and Mollohan:

On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, I urge you to include an extension of the H-2B return worker exemption provision in the final conference report of the FY2008 Commerce-Justice-Science (CJS) Appropriations bill.

During consideration of the CJS bill on the Senate floor, Senator Mikulski successfully attached a one year extension of the H-2B return worker exemption provision to the bill. The return worker exemption allows past participants in the H-2B program – those who have completely followed the law during the past three fiscal years – to not count towards the 66,000 statutory annual limit. This exemption is important because the statutory limit does not reflect economic realities. For instance, in 2004 the limit was reached on March 9 before some small businesses that need temporary help during the summer months had an opportunity to apply for H-2B workers. The cap has been reached each year since because of the demand for seasonal workers.

The conferees on the CJS bill have an important opportunity to help small-business owners continue to rely on returning H-2B workers to fill important seasonal jobs in many industries including landscaping, fishing and crabbing, accommodation, and the food service industry.

Without immediate action by Congress, many small businesses will not know if they can count on this assistance as they prepare their budgets for next year. As a consequence, thousands of businesses will be forced to scale back their business plans and this could have serious economic repercussions.

National Federation of Independent Business

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On behalf of our members who continue to count on a reliable seasonal worker program, thank you for considering this important request.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Danner", with a long horizontal flourish extending to the right.

Dan Danner
Executive Vice President
Public Policy and Political

cc: The Honorable Robert Byrd
The Honorable Thad Cochran
The Honorable Richard Shelby
The Honorable Dave Obey
The Honorable Jerry Lewis
The Honorable Rodney Frelinghuysen
The Honorable Bart Stupak

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