

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

July 31, 2007

The Honorable Zoe Lofgren
Chairwoman
Subcommittee on Immigration, Citizenship,
Refugees, Border Security, & International Law
House Committee on the Judiciary
517 Cannon House Office Building
Washington, DC 20515

The Honorable Steve King
Ranking Member
Subcommittee on Immigration, Citizenship,
Refugees, Border Security, & International Law
House Committee on the Judiciary
B351 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Lofgren and Ranking Member King:

As you continue your work to improve our nation's immigration policy and border security, we respectfully request that you give close consideration to the Save Our Small and Seasonal Businesses Act of 2007 (H.R. 1843). This important legislation would permanently extend the temporary fix to the H-2B Visa program and will help small and seasonal businesses fill their seasonal labor needs and keep full-time Americans working.

As you know, 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. While the number of visas available under this program is miniscule relative to the total number of employed Americans, the workers available under this program are absolutely critical to several industries that depend on seasonal business.

Last year, Congress included a one-year extension of the Save Our Small and Seasonal Businesses Act of 2005 to the National Defense Authorization Act. This extension created a short-term fix to the H-2B Visa shortage by exempting returning non-immigrant, seasonal workers from the H-2B Visa cap and by providing a fairer allocation of visas.

The Save Our Small and Seasonal Businesses Act of 2005 did not raise the cap – it simply exempted returning workers who have played by the rules from counting against the 66,000 visa cap. Based on past compliance with all legal requirements of the program, employees who have worked in the United States before and returned to their home country were given another opportunity to return to the U.S. to work another season under the H-2B Visa program.

This exemption has provided much needed relief to timber companies, seafood processors, landscapers, stone quarriers, resorts, pool companies, carnivals and other small and seasonal businesses across the nation who rely on the H-2B Visa program. However, even with this exemption in place, the cap for the second portion of the fiscal year (April 1 to September 30) was reached on March 16, 2007, 15 days before the start of the season.

With the one-year extension of the Save Our Small and Seasonal Businesses Act of 2005 set to expire on September 30, 2007, we request that the Committee hold immediate hearings on the Save Our Small and Seasonal Businesses Act of 2007. H.R. 1843 will provide a fix to the H-2B Visa program by making the returning worker provision permanent.

Small and seasonal businesses around the country have demonstrated that the H-2B Visa program is a huge success in protecting and promoting America's economy and jobs. Without an extension, these businesses will face labor shortages this year. Therefore, the Committee should join the growing number of bipartisan Members of Congress in supporting H.R. 1843 and hold hearings as soon as possible.

Thank you for your consideration of this request. Please feel free to contact us or Josephine Eckert (Rep. Stupak) and Chandler Morse (Rep. Flake) of our staffs with any questions or concerns.

Sincerely,



BART STUPAK
Member of Congress



JEFF FLAKE
Member of Congress