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March 10, 2009

The Honorable Arlen Specter
711 Hart Senate Office Building
Washington, DC 20510
Fax (202) 228-1229

Dear Senator Specter:

Thank you very much for your efforts to protect American jobs by becoming the principal cosponsor of S. 388, the Save Our Small and Seasonal Business Act of 2009.

As you recognize, the survival of seasonal businesses and the continued employment of their full-time workers is reliant on their having successful peak business periods. During those periods, the full-time staff must be supplemented by temporary workers in order to run the business at full capacity during those critical busy times.

Hoteliers spend considerable time, money and resources trying in recruiting to fill their seasonal jobs. Despite this substantial annual investment, they are unable to find enough local workers for their critical temporary jobs.

The federal H-2B Program is the last option available in providing access to temporary seasonal workers if no local labor can be found. Prior to participating in the H-2B Program, employers must be certified by the U.S. Department of Labor that no workers will be displaced and that no adverse impact on prevailing wages or work conditions will occur. Further, participants in this program are strictly temporary and must leave after their specified work period ends.

Even though the H-2B Program is extremely expensive, complex, and burdensome, many seasonal lodging properties rely on it to stay in business.

The current limitation of 66,000 temporary workers per year in the program per year is arbitrary, inflexible, unrelated to economic need and too low given the need for workers to fill these temporary jobs. Congress overwhelmingly approved relief twice for this program. Unfortunately, Congress allowed that temporary relief to lapse and now seasonal hoteliers are now are unable to find staff for their peak business periods.

If Congress fails to act again, it will be punishing those employers that are doing everything they can to do the right thing and follow the law. On behalf of America's lodging industry, thank you very much for your leadership.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe McInerney".

Joseph McInerney
President and Chief Executive Officer

A handwritten signature in black ink, appearing to read "Marlene M. Colucci".

Marlene Colucci
Executive Vice President for Public Policy

cc: Barry Wickes, President, Pennsylvania Tourism & Lodging Association