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## **H2B bill faces an uncertain fate**

*Program for seasonal foreign workers affects hundreds in Branson area.*

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Washington — Legislation that would allow southwest Missouri employers to hire hundreds of temporary foreign workers at hotels and small businesses next year faces an uncertain fate in Congress despite growing bipartisan support.

It is mired in a broader immigration debate over guest-worker programs for agriculture and high-tech workers that is dividing Congress.

Rep. Roy Blunt, the House minority whip, backs a two-year extension of a key law that is one piece of the immigration debate.

It would allow seasonal foreign workers who return annually to the United States under the H2B guest-worker program to be exempt from a national cap that limits the number of visas for such workers to 66,000.

In 2006, there were 97,279 workers in the U.S. with H2B visas, according to the Department of Homeland Security.

The exemption for returning workers expired Sept. 30.

There are about 700 seasonal foreign workers in the Branson area who rely on H2B visas.

If the exemption is not renewed, some of those workers may not be allowed back into the country, leaving businesses scrambling for employees.

"The H2B program is the ultimate temporary worker program," said Blunt, who opposed broader immigration reform earlier this year that would have put undocumented workers now in the U.S. on a path to citizenship.

Republican Blunt, of Springfield, said Congress' best opportunity to address any immigration issues is a "simple extension of a program that works" like the H2B program.

Some in Congress don't want to renew the H2B or any other temporary worker program until lawmakers address broader immigration reform that would resolve the status of the estimated 12 million undocumented or "illegal" immigrants now living and working in the U.S.

"Once you open up this legislation" to other guest-worker programs, Blunt said, "suddenly, you've got an immigration bill" that will draw fire from critics.

"If you try to solve every immigration issue, you are not going to solve any," he said.

Caught in the crossfire are employers who have labor shortages and want to hire foreign workers. Foreign workers also want American jobs and a chance to become citizens.

Mount Vernon dairy farmer Marilyn Calvin said she hired a full-time foreign worker on her 400-acre farm because she could not find an American worker who wanted the job. Calvin said the Hispanic worker she employs is legal and pays taxes and Social Security.

But like other foreign workers, she said he eventually will have to return home.

"It's hard to find people to do the work," she said. "I don't want him to go home."

Calvin agrees Congress needs to address comprehensive reform but said lawmakers need to "start somewhere."

"This (agriculture guest-worker) program would be a good place to start," said Calvin who was on Capitol Hill last month lobbying Missouri lawmakers on immigration and farm issues.

In Madison, Wis., foreign worker Vikas Chowdhry said the temporary status of high-tech workers under the H1B visa program is like a "sword hanging around our necks."

Chowdhry, who is a health care software expert from India, said he is tethered to his current employer under current visa rules until he becomes a U.S citizen. That could take more than 10 years.

In the meantime, Chowdhry said he is unable to accept a promotion or start a business and hire Americans. He also could be deported within weeks if he is laid off.

Chowdhry said that unless Congress acts to resolve high-tech guest-worker programs, the U.S. will lose talented workers to countries that are immigrant-friendly like Canada and Great Britain.

"Somehow people in Congress don't understand that," he said.

Last month, 15 Democrats told House leaders they backed an extension of the H2B program and an increase in visas for agriculture and high-tech workers under the H1B program as part of a plan to address U.S. labor shortages.

But other lawmakers oppose efforts to extend or expand guest-worker programs without first tackling comprehensive immigration reform, an issue that deeply divides Congress.

The upshot is that Congress is at a standstill on what, if any, action to take on guest-worker programs.

Kristie Greco, a spokeswoman for House Majority Whip James Clyburn, D-S.C., said Clyburn supports an extension and expansion of visa programs for temporary foreign workers but must consider the interests of lawmakers who want more comprehensive reform.

"We are looking at all the options," she said.

In the Senate, legislation that would extend the H2B program for returning workers for one year is attached to a spending bill that passed the Senate. The legislation has bipartisan support, including that of Sen. Christopher "Kit" Bond, who has sponsored a bill to extend the program for five years.

But its outlook also is uncertain.

Some senators are threatening to oppose it unless Congress also supports legislation that would put certain undocumented immigrants, such as children and agriculture workers, on a path to citizenship.

That was evident last month when the Senate rejected a bill that would allow children who grew up in the States but were brought here illegally by their parents to obtain citizenship if they completed two years of military service or post-secondary education.

"Don't tell me you need H2B ... and all the rest of them if you are going to turn away these children," Sen. Richard Durbin, D-Ill., told his colleagues. "Do not come back to me and tell me that we need a bigger labor pool and more talent in America."