



Temporary visas wanted

Sens. Gregg, Sununu urge leadership to restore levels



Marcel Rosa, a resident of the Dominican Republic, is one of the many foreign workers who are relied on by local seasonal business and state and local governments to fill positions vital to the local economy. Rosa was photographed on Hampton Beach this past summer, but may not be allowed to come back this year because of a federal cutback in the number of visas issued. Scott Yates/syates@seacoastonline.com



By **Shir Haberman**

shaberman@seacoastonline.com

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PORTSMOUTH — Once again, the issue of having sufficient seasonal workers at local beaches and other area businesses has reared its ugly head.

Citing deep concern over the impact that the recent shortage of H-2B temporary worker visas is having on small and seasonal businesses, Republican U.S. Sens. Judd Gregg and John Sununu of New Hampshire recently sent a letter to Senate leaders calling for immediate legislative action to restore previous visa levels and help these businesses maintain operations.

"New Hampshire's economy — especially in the tourism, hospitality and landscaping industries — often must rely on H-2B workers to augment their U.S. work force and maintain operations," Gregg said in a joint statement with Sununu. "It is for this reason that I have worked hard to increase the available number of H-2B visas for small and seasonal businesses, including my efforts back in 2005 to pass into law the 'returning worker' exemption to the 66,000 visa cap.

"This exemption rightfully rewards employers and foreign workers that play by the rules, and it is unfortunate that some of my congressional colleagues killed a provision in the fiscal year 2008 Commerce, Justice, Science appropriations bill that would have prevented the 'returning worker' exemption from expiring last fall," Gregg said. "As a result, the number of available visas has dropped by nearly 50 percent, and many businesses in New Hampshire have now been shut out of the H-2B program for the rest of the year."

Cathy Goodwin, president of the Greater York (Maine) Region Chamber of Commerce, said a large number of seasonal summer businesses in southeastern Maine have come to rely on foreign workers to fill jobs American workers won't take.

"The pool (of available seasonal workers) continues to diminish just as more properties seek to use those who are here on these six-month visas," Goodwin said. "With the expansion going on at (York) Beach, and college kids and college teachers no longer available, these businesses are definitely going to be impacted."

The other problem is that since the H-2B visas are issued in early fall, the seasonal winter businesses, such as the ski resorts, often use all or most of them to supply their personnel needs, leaving few for the seasonal summer businesses.

The York Chamber president said she recently heard that Maine's 1st District Congressman, Democrat Tom Allen, who is running against incumbent Republican Susan Collins for U.S. Senate this year, has a bill pending that will split the existing visa program to offer half to winter businesses and half to those that operate during the summer.

"The chamber will continue to stay proactive on this issue," Goodwin promised.

"Doc" Knowles, president of the Hampton Area Chamber of Commerce, is equally concerned.

"If (Congress) restricts the number of employees who can come in under these visas, it will be a hardship to many beach businesses because they have come to rely on them," Knowles said. "There are just not enough kids to cover beach business. They sometimes have problems getting to beach jobs, as opposed to workers who come in on these visas and usually are housed on the beach by their employers."

Knowles also said fewer H-2B visas could mean trouble for the highly profitable Hampton Seafood Festival, which usually takes place the week after Labor Day and extends the season for many beach businesses.

"(Fewer H-2B visas) could have a negative effect on the Seafood Festival," the Hampton chamber president said. "There's a lot of manual labor — putting up the tents, setting up the tables — that we use these people for."

During a Senate floor debate nearly three years ago on the fiscal year 2005 Emergency Supplemental Appropriations bill, the Senate overwhelmingly approved an amendment from Gregg and Sen. Barbara Mikulski, D-Md., exempting certain H-2B visa holders from counting toward the program's 66,000 visa cap. This "returning worker" exemption excludes H-2B workers from the cap who had participated in the visa program during previous years and had returned to their home country before their visa expired.

In 2006, Congress renewed this "returning worker" exemption through fiscal year 2007. Last year, the Senate version of the fiscal year 2008 Commerce, Justice, Science also had a provision that would have extended the "returning worker" exemption for another year, but it was dropped by the congressional leadership at the urging of the Congressional Hispanic Caucus.

Available H-2B visa levels have dropped by nearly 50 percent, and U.S. Citizenship and Immigration Services recently announced that no more visas will be available for this fiscal year.

In addition, Gregg and Sununu are cosponsors of S. 988, the Save our Small and Seasonal Businesses Act of 2007, which would extend the "returning worker" exemption through fiscal year 2012. Introduced last March, it is still pending before the Senate Judiciary Committee.

"I will continue working hard to help H-2B employers in our state and urge my Senate colleagues to pass legislation that would restore previous visa levels," Gregg said.

Sununu agreed.

"Small businesses in New Hampshire and across the nation rely on the contributions of seasonal and temporary workers, especially in travel and tourism — one of our state's largest employers," Sununu said. "It's essential for them to tap into this labor force in a timely way.

"At a time when businesses need to be given every possible opportunity to thrive, the congressional leadership needs to move quickly to schedule action on an issue critical to the nation's economic health," he said.

S. 988 has also gained national support. In October 2007, a group called the H-2B Workforce Coalition wrote a letter to every U.S. senator urging them to support the legislation.

The letter was signed by national organizations representing such diverse industries as hotel and lodging, trucking, amusements, roofing and tree care. Hundreds of state business organizations and individual businesses also signed the coalition's letter that not only supported the Gregg/Sununu bill, but also criticized the cap on H-2B visas.

"The congressionally mandated 66,000 annual cap on the number of workers allowed to participate in the program that was established in 1990 does not reflect current economic realities or meet the needs of the seasonal businesses that rely on these workers," the letter reads. "Without immediate action by Congress, widespread economic consequences will severely impact diverse economic sectors throughout the country including lodging, restaurants, landscaping, clubs, amusement parks, ski resorts, food processing, stone, travel and tourism, horse sports, construction, entertainment, hospitality, recreation and many other seasonal industries."