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Gerlach Lobbies For H-2B Visas

By: Joe Murray, The Bulletin
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While most of the nation's attention is focused on the debate surrounding H-1B visas, those highly coveted visas permitting U.S. companies to hire foreign workers for specialized jobs, Rep. Jim Gerlach (R-Pa.) is attempting to direct some of the limelight towards the H-2B visa, a lesser known cousin of the H-1B.

The H-2B visa program is designed for temporary non-immigrant guest workers largely employed by small, usually seasonal businesses. And unlike the H-1B visa, which requires highly skilled workers, those utilizing the H-2B visa are largely unskilled.

Late last year, Rep. Bart Stupak (D-Mich.) introduced the Save Our Small and Seasonal Businesses Act of 2007 (H.R. 1843), but the bill stalled in committee. Proponents of the bill claim House Speaker Nancy Pelosi (D-Calif.) is largely to blame, arguing Ms. Pelosi is bottling the bill to force Congress to vote on broad-range immigration reform bills, including the politically volatile issue of amnesty for illegal immigrants.

This week, Mr. Gerlach joined Mr. Stupak and other supporters of H.R. 1843 in a press conference highlighting the need for the bill and urging Ms. Pelosi to move the bill to the House floor. If passed the bill would allow additional low skilled workers into the country.

"What's so ironic today, I understand we're going to have a bill (H.R. 1312) on the floor that's going to make it easier to get visa approvals for foreign artists like the Rolling Stones to come and do concerts in the United States," Mr. Gerlach said at the press conference.

The Congressman added, "But Speaker Pelosi seems to refuse to allow our small business owners the opportunity to keep people working in our individual districts."

Mr. Gerlach claims failure to pass the bill will hurt both Pennsylvania's small businesses and workers. The Congressman pointed to numbers released by the Pennsylvania Landscape and Nursery Association in which it is estimated the industry could lose \$26 million in revenue, forcing a lay off a minimum of 300 full-time U.S. workers.

A leading immigration reform group, however, questions the legislation and claims the bill is not only "silly," but works against the interest of U.S. workers.

"This is just silly. They are playing with the numbers" stated Bob Dane, spokesperson for the Federation for American Immigration Reform (FAIR).

At issue is the cap placed on the number of H-2B visas issued by the federal government. Traditionally, H-2B visas were capped at 66,000, but Sen. Barbara Mikulski (D-MD), who is sponsoring the companion bill in the Senate, successfully offered amendments in 2005 and 2006 increasing the number of visas. Mrs. Mikulski accomplished this by exempting from the cap those workers who received their H-2B visa within three years.

Under the current bill the same language is present as H-2B workers who have been in the U.S. "during any 1 of the preceding 3 years" would be exempt. There is no sunset on the renewal.

"This is a mathematical shell game," Mr. Dane argued. The immigration reform advocate further added, "Nothing in the bill addresses the impact this will have on the economy," noting Mr. Stupak's bill would automatically allow 264,000 H-2B workers to enter the country; 66,000 for the last three years and an addition 66,000 in the 2008 fiscal year.

"Using their own math, the potential number of H-2B visa workers could reach 858,000 by 2017," Mr. Dane said.

At a time when Congress should be putting pressure on businesses to increased wages for American workers, Mr. Dane contends H.R. 1843 is a step in the wrong direction.

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