U.S. House of Representatives

Washington, DC 20515

Dear Representative:

The H-2B Workforce Coalition respectfully urges you to co-sponsor H.R. 2758, legislation sponsored by Rep. Charles Boustany, Jr. (LA-3) which will make permanent the returning worker exception to the annual numerical limitation on nonimmigrant visas. Our coalition represents the hundreds of small and medium size businesses who rely on temporary foreign workers to keep our seasonal operations running.

Seasonal non-agricultural workers, both skilled and unskilled, may apply for an H-2B visa to the United States. Workers must have a job offer first, for a position for which there is a shortage of U.S. workers willing or able to take the job. They must be able to show that they intend to return home at the end of the permitted stay. Such visas are used for a wide variety of workers, such as business trainers, outdoor amusement workers, entertainers, hospitality workers, landscape workers, camp counselors, ski instructors, and home attendants for terminally ill patients. About 3000 employers in about fifty industries depend on this program to maintain the size and quality of workforce they need to meet demand for services.

The H-2B numerical limit set by Congress per fiscal year is 66,000, with 33,000 to be allocated for employment beginning in the 1st half of the fiscal year (October 1 - March 31) and 33,000 to be allocated for employment beginning in the 2nd half of the fiscal year (April 1 - September 30).

When business activity increases due to improvements in the economy, as some areas have seen this past year, those employers who use the H-2B program have an increased need for such workers. This past season, H-2B employers have needed more H-2B workers than provided under the cap and we expect for that to be the situation for the next few years. Congress has previously addressed this issue in such circumstances.

An expired provision of law exempted from the cap H-2B workers who have complied with past visa requirements and worked in the program during one of the preceding three years. In order to ensure that seasonal small businesses continue to have access to needed H-2B workers, a simple provision that re-instates the H-2B returning worker exemption that was in place from 2005 through 2007 would remedy the matter.

Please support the labor needs of employers for willing and capable temporary foreign workers who do not wish to immigrate here. The H-2B program helps employers use a legal workforce and serve local communities. I urge you to join Congressman Charles Boustany of Louisiana and co-sponsor H.R. 2758 to make the Returning Worker Exemption permanent law.

Thank you for your consideration of this critical legislation.

INSERT NAME, COMPANY and LOCATION