

Congress of the United States
Washington, DC 20515

March 26, 2015

The Honorable Harold Rogers
Chairman
Committee on Appropriations
H-305 The Capitol
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

The Honorable John Carter
Chairman
Subcommittee on Homeland Security
B-307 Rayburn House Office Building
Washington, DC 20515

The Honorable Lucille Roybal-Allard
Ranking Member
Subcommittee on Homeland Security
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairmen Rogers and Carter and Ranking Members Lowey and Roybal-Allard:

Seasonal employers in many U.S. industries, including seafood processors, landscapers, ski areas, and hotels, rely on seasonal labor to support their businesses during the busy season. The H-2B program provides for the temporary admission of foreign workers to the United States to perform temporary non-agricultural service or labor if unemployed U.S. workers are not available. Today, H-2B visas are in such high demand that the number of visas granted far exceeds demand in the marketplace. We write today to offer a solution to this increasing problem.

Under current law, there is a numerical limit on the total number of aliens who may be issued a visa or otherwise provided H-2B status (including through a change of status) during a fiscal year. Currently, the H-2B cap set by Congress is 66,000 per fiscal year, with 33,000 to be allocated for employment beginning in the first half of the fiscal year (October 1 - March 31) and 33,000 to be allocated for employment beginning in the second half of the fiscal year (April 1 - September 30). Any unused numbers from the first half of the fiscal year will be made available for use by employers seeking to hire H-2B workers during the second half of the fiscal year. As you may know, the congressionally-mandated H-2B cap for the first half of fiscal year 2015 was reached on January 26, 2015.

We are writing to ask you to reinstate and make permanent the H-2B returning worker exemption, first enacted in P.L. 109-13, Div. B, Title IV, Sec. 402, in May 2005, and last extended in Sec. 1074 of P.L. 109-364, on Oct. 17, 2006. As you know, since it was first

established in 1990, the 66,000 annual cap is routinely exceeded to the point where Congress must regularly step in to provide temporary relief.

We believe by making this exemption permanent, you will be providing much needed stability to these vital industries. We cannot stress enough that seasonal workers are crucial for the success of many small and seasonal businesses throughout the United States. Without seasonal workers during peak cycles, many businesses cannot afford to employ American workers the rest of the year. In fact, a recent study by Louisiana State University found that every H-2B visa worker supports four American jobs.

For these reasons, we strongly urge you to reinstate and make permanent the H-2B returning worker exemption.

Thank you for your consideration of this request.

Sincerely,



CHARLES W. BOUSTANY JR., MD
United States Representative



STEVE SCALISE
United States Representative



JOHN FLEMING, MD
United States Representative



RALPH ABRAHAM, MD
United States Representative



GARRET GRAVES
United States Representative