

Congress of the United States
Washington, DC 20515

December 7, 2011

The Honorable Harold Rogers
Chairman, Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Norm Dicks
Ranking Member, Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Rogers and Ranking Member Dicks:

As we all work to protect American jobs and promote economic growth, we urge the Committee on Appropriations to take another critical step to protect small and seasonal businesses throughout the country.

As you know, the recently enacted Consolidated and Further Continuing Appropriations Act (P.L.112-55) postponed until January 1, 2012 the effective date of harmful regulations that will artificially inflate the labor costs of employers that are forced to hire H-2B workers. While that step was helpful, thousands of small businesses and their full-time employees are still in extreme jeopardy if the rule is permitted to go into effect in less than a month.

The H-2B program is essential to employers who cannot find local temporary workers to fill jobs during their peak seasons. It should also be emphasized that the program is critical to allow those businesses to operate at a greater capacity, keep their doors open, and retain their full-time local workers.

Unfortunately, the U.S. Department of Labor (DOL) has targeted the H-2B program, and by extension those law-abiding employers that are forced to utilize it, for virtual elimination with punitive rules. The finalized DOL rule, delayed by P.L.112-55, seeks to artificially increase the wage rates for H-2B workers well above legitimate economic levels while the other proposed rule would unnecessarily increase the cost and complexity of the H-2B program. The combination of these two rules will make the H-2B program virtually unusable, threatening America's seasonal businesses and their full-time American employees.

We urge the Committee on Appropriations to include the language from H.R.3162 or section 118 of H.R. 3070, which will prevent any appropriated funding from being used to implement those H-2B rules which pose a threat to our constituents, small businesses throughout the nation, and our economy.

Seasonal employers desperately need Congress to enact a legislative remedy that provides a long-term solution and provides relief for small businesses from these job-killing regulations.

Sincerely,

Robert J. Wittman
A. Causey TX-23

Phil C. Mint

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Chairman Roger and Ranking Member Dicks

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