



## WESTERN GOVERNORS' ASSOCIATION

Dave Freudenthal  
Governor of Wyoming  
Chairman

Jon M. Huntsman, Jr.  
Governor of Utah  
Vice Chairman

Pam O. Inmann  
Executive Director

Headquarters:  
1600 Broadway  
Suite 1700  
Denver, CO 80202

303-623-9378  
Fax 303-534-7309

Washington, D.C. Office:  
400 N. Capitol Street, N.W.  
Suite 388  
Washington, D.C. 20001

202-624-5402  
Fax 202-624-7707

[www.westgov.org](http://www.westgov.org)

April 9, 2008

The Honorable Nancy Pelosi  
Representative of California  
Speaker, U.S. House of  
Representatives  
2371 RHOB  
Washington, DC 20515

The Honorable John Boehner  
Representative of Ohio  
House Republican Leader  
H-204 The Capitol  
Washington, DC 20515

The Honorable Harry Reid  
Senator of Nevada  
Senate Majority Leader  
528 Hart Senate Office Bldg  
Washington, DC 20510

The Honorable Mitch McConnell  
Senator of Kentucky  
Senate Minority Leader  
361-A Russell Senate Office Bldg  
Washington, DC 20510

Dear Speaker Pelosi, Minority Leader Boehner, Majority Leader Reid  
and Minority Leader McConnell:

The lack of availability of H-2B visas and the bureaucratic hurdles with the H-2A program have created critical problems for key western business and industry. Western Governors support the development of a comprehensive national immigration policy (see attached policy resolution) and believe that businesses and industry relying on H-2B and H-2A visas – an important, effective and legal visa program – should not be constrained by Congress's inaction on comprehensive reform.

As you know, in 2005 Congress approved a series of modest changes to the existing H-2B visa program, one of which created a "returning worker" exemption. This exemption removes workers who have participated in this program during the previous 3 years and abided by all its rules, from counting towards the 66,000 person H-2B visa cap. This exemption has been utilized successfully as it offered employers a legal and reliable way to hire temporary, dependable workers.

Although there were attempts to extend the "returning worker" exemption in October of 2007, it expired. As a result, the number of H-2B visas has dropped by nearly fifty percent this year, the H-2B visa cap for Fiscal Year 2008 is already exhausted, and many businesses have been left out.

Due to the U.S. Citizenship and Immigration Services announcement that no more H-2B visas will be available for Fiscal Year 2008, we are increasingly hopeful that Congress will redouble its efforts to advance legislation that would quickly address this issue.

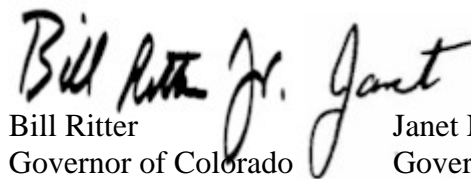
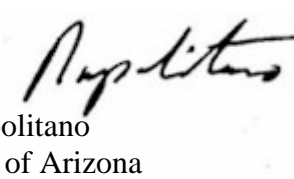
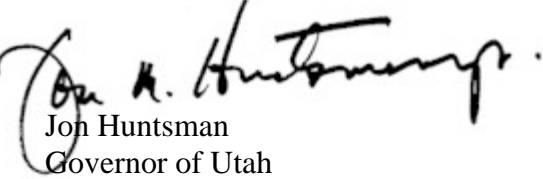
The Honorable Nancy Pelosi  
The Honorable John Boehner  
The Honorable Harry Reid  
The Honorable Mitch McConnell  
April 9, 2008  
Page 2

The Save Our Small and Seasonal Businesses Act of 2007 (H.R. 1843) and its Senate companion bill (S. 988) would extend the returning worker exemption through FY 2012. These bills are currently pending in Congress. We further understand that H.R. 1843 is subject to a discharge petition (H. Res. 1025) to bring the bill before the full House of Representatives. We ask you to support moving this important piece of legislation to help businesses who deserve a renewal of the "returning worker" exemption.

We also support increasing the numerical limitation on H-1B visas to meet U.S. industry demands, particularly in the high-tech and biotech industries and streamlining the processing of H-2A visas to create a more workable system of addressing the need for foreign, seasonal agricultural workers. The provisions in the Agricultural Job Opportunities, Benefits and Security Act of 2007 were developed through a collaborative dialogue between employers and workers and it proposes meaningful change to H-2A.

Your assistance on these matters would be greatly appreciated. Thank you for your consideration of this request.

Sincerely,

		
Bill Ritter Governor of Colorado	Janet Napolitano Governor of Arizona Lead Governor, Immigration	Jon Huntsman Governor of Utah Lead Governor, Immigration

cc: Western Governors

attachment

F:\immigration\DRAFT-Visa-Letter.doc