

SR-96, As Adopted by Senate, September 18, 2007

Senator Allen offered the following resolution:

Senate Resolution No. 96.

A resolution to memorialize the Congress of the United States to extend the H2B returning worker exemption permanently.

Whereas, Seasonal workers are a key component of our state's and our nation's tourism and recreation industries. Annually, thousands of young men and women use seasonal employment to begin their journey on the path to a career. Many tourism areas, however, do not have the populations necessary to fill all the seasonal jobs available. In Michigan, for example, world-renowned Mackinac Island hires up to 4,500 seasonal workers each year. Its 500 year-around residents cannot begin to supply the workforce necessary for peak-season employment levels; and

Whereas, Foreign workers supplement the seasonal staff needs in a host of our tourism and recreation destinations. Many of these employees are in our country under the H2B visa program; and

Whereas, All workers under the H2B visa program are here legally, are tracked by the federal government to ensure they are doing the work their visa is intended for, and are paid under federally-prescribed wage scales; and

Whereas, Congress took action to help alleviate problems with the H2B visa program by capping the number of visas available at 66,000, but also exempting workers who already held an H2B visa. This action ensures that there is enough of a workforce available for those industries that depend on seasonal workers; and

Whereas, There is a sunset in the law on the federal level that would remove the returning worker exemption. As of September 30, 2007, every returning worker will again be considered a new worker and be forced to apply under the 66,000 visa limit. This cap had been reached for each of the previous few years before Congress took action, just as the national economy has surged and more and more people are traveling. The cap also distorted hiring patterns across the nation, as employers are forced to put on workers far beyond service needs to help assure that they will have the employees they need when their season begins; and

Whereas, Legislation has been introduced in Congress to revise the H2B visa program. The measure would extend the H2B returning worker exemption by removing the sunset language from current law. Clearly, this is an issue that needs prompt action; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to continue exempting returning workers allowed into this country under the H2B visa program by passing H.R. 1843; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the Michigan congressional delegation.