



Chabot, Goodlatte, Harris, Boustany Unveil Bill to Reform Seasonal Guestworker Program

Washington, D.C. – Small Business Committee Chairman Steve Chabot (R-Ohio), House Judiciary Committee Chairman Bob Goodlatte (R-Va.), Congressman Andy Harris (R-Md.), and Congressman Charles W. Boustany, Jr., MD (R-La.) today introduced a bill to reform the H-2B seasonal guestworker program. The H-2B guestworker program is used by American employers to hire foreign workers for temporary and seasonal work, such as forestry, seafood processing, and other industries.

The [*Strengthen Employment and Seasonal Opportunities Now \(Season\) Act*](#) (H.R. 3918) provides much needed reforms to the H-2B program in order to protect American workers, help U.S. employers who play by the rules hire seasonal guestworkers, save taxpayer dollars, and ensure the H-2B program is truly a temporary, seasonal guestworker program. Earlier this year, the Obama Administration issued new regulations for the H-2B program that increase red tape and create higher costs for the small and seasonal businesses that use the program.

Below are statements from Chairman Chabot, Chairman Goodlatte, Congressman Harris, and Congressman Boustany on the introduction of the *Season Act*.

Chairman Chabot: “Every year, thousands of employers must turn to foreign workers, through the H-2B visa program, in order to meet their temporary, seasonal employment needs. Unfortunately, the number of available visas for seasonal workers is inadequate to meet the existing demand and is often exhausted in the first few months of the year, leaving many employers out in the cold and scrambling to find workers during peak periods. The legislation we are introducing today would enact common-sense reforms that will increase the availability of seasonal work visas and make it easier for employers to meet the demands of the growing economy while encouraging foreign workers to follow our laws and play by the rules.”

Chairman Goodlatte: “Many small businesses playing by the rules, including many employers in the 6th Congressional District of Virginia, rely heavily on seasonal employees with H-2B visas to support industries such as forestry and tourism. Unfortunately, the Obama Administration has issued regulations that are overly burdensome for the small and seasonal businesses that play by the rules and use this guestworker program to hire a legal workforce.

“The *Season Act* provides much needed reforms to the H-2B guestworker program so that American employers have access to a reliable workforce during peak seasons. Additionally, the bill contains protections for American workers and taxpayers so that they are not adversely impacted by this seasonal guestworker program. I thank Chairman Chabot for his work on this important bill and look forward to moving the bill soon.”

Congressman Harris: “The H-2B program is essential to those who rely on seasonal labor and it’s time we make moves to overhaul this outdated and bureaucratic program. This bill is crucial in reforming the H-2B program and protecting American workers.”

Congressman Boustany: “Legal, seasonal labor complementing critical Louisiana industries like seafood processing and agriculture drives our state’s economy. But backwards policies from the Department of Labor are putting many Louisiana businesses between a rock and a hard place. I think we can do better. It’s time to reform this process to support Louisiana jobs and industry.”

Key components of the *Season Act*:

Protects American workers:

- The bill requires employers to first recruit U.S. workers and offer U.S. workers the same benefits, wages, and working conditions that H-2B workers will receive.
- Under the bill, employers seeking to use the H-2B program cannot improperly lay-off U.S. workers in order to hire foreign workers. Additionally, employers cannot fill positions if the former workers in those specific jobs are on strike or locked out in the course of a labor dispute.

Helps U.S. employers who play by the rules hire seasonal workers:

- The *Season Act* provides expedited processing of H-2B applications so that U.S. employers have access to workers during their peak work seasons.
- Under the bill, the Department of Homeland Security is to run the H-2B program and ensure employer compliance with the program’s obligations. The Department of Labor has no role in the H-2B program under the bill.
- Since the need for these visas by small and seasonal employers greatly outstrips the available supply, the bill provides that guestworkers who abide by the law and return home at the end of a season can in many cases return to the U.S. to work without being counted against the visa quota.

Protects American taxpayers:

- Under the *Season Act*, H-2B workers are ineligible for federal public benefits, including Obamacare subsidies. They also are not eligible for refundable tax credits – the Earned Income Tax Credit and the Child Tax Credit.

Ensures the H-2B program is actually a temporary program:

- H-2B visas are available to perform temporary labor where an employer’s need for labor will last no more than one year and is seasonal (up to 10 months), unless it is a one-time occurrence lasting no longer than three years.
- Under the bill, an H-2B worker who has worked three years in the United States under the H-2B program or other temporary work programs must remain outside the U.S. for three months before being readmitted to work under any guestworker programs.

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