

THE
NEW ENGLAND
COUNCIL

March 31, 2008

Dear Member of Congress,

Congress may soon revisit immigration reform legislation. On behalf of the New England Council, I urge you to include language that increases the number of H-1B and H-2B visas that the United States Citizenship and Immigration Services can issue each year. Foreign workers that come to the U.S. as a result of any increase are vital to the success of many of New England's businesses and institutions.

H-1B

One of the greatest constraints to continued economic growth in New England is the inaccessibility of skilled workers to area businesses. Faced with an older workforce, stagnant population growth, and a declining interest in science, technology, engineering and math (STEM) fields among college bound high school students, businesses in the region have become increasingly dependent on foreign workers with STEM backgrounds.

The H-1B visa program, established by the Immigration Act of 1990, allows employers to supplement their current workforce with highly skilled foreign workers. The visa must be used for specialty occupations - those requiring a great deal of specialized knowledge along with at least a bachelor's degree or its equivalent - e.g. engineers and architects. Professionals such as accountants, doctors and lawyers must be licensed to practice in the state where they will be working. The visa is typically valid for up to six years, and is "capped" at 65,000 annually. The Department of Labor requires United States employers to meet specific labor conditions to make sure that American workers are not adversely impacted by the program and that the foreign workers are properly compensated and treated.

The demand for these workers continues to grow, however, with the limit on the numbers of H-1B visas issued each year reached on the first day of the application process. The "cap" of 65,000 was first set in 1990 at the program's inception, and, with limited exceptions has not since been increased.

The New England Council supports increasing the number of visas issued under the H-1B visa program. The Council also supports retaining the exemptions for the higher education sector, which attracts a considerable number of foreign students seeking advanced degrees along with foreign-born professors specializing in subjects that are highly sought after by our higher education institutions. The H-1B Visa Reform Act of 2004 makes an additional 20,000 H-1B visas available annually for those with a master's degree or higher from a United States university. Our region is preeminent in academia and scientific research because it attracts so many talented people from around the world.

The needs of New England's high tech employers and Higher Education Institutions are immediate. Unless we provide them with the qualified workers that they need, they will be forced to go elsewhere.

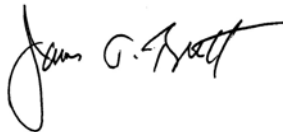
H-2B

Certain businesses across the country, particularly those associated with summer and winter resorts, have traditionally relied on foreign workers to supplement the staff during their busiest months. The H-2B working visa allows foreign nationals to enter the United States temporarily to engage in non-agricultural employment that is seasonal in nature. While currently limited to 66,000 each year, Congress, starting in 2005, excluded from this limit any H-2B visa issued to a worker who received one for the previous three years. That exclusion has since expired, reducing the "cap" to 66,000.

This is particularly detrimental to the businesses that rely on these foreign-born seasonal workers during the late spring and summer since these businesses cannot apply for the visa until 120 days before the worker's expected start date. Although the visas are split evenly between the first and second half of the federal fiscal year to accommodate both summer and winter businesses, the U.S. Citizenship and Immigration Services reports that the cap for the first half of Fiscal Year 2008 was reached on September 27th, 2007 while the cap for second half of Fiscal Year 2008 was reached on January 2nd, 2008. Any business applying for a visa after that date is shut out, with the resulting labor shortage likely to result in delayed openings, poor service and even business closings.

Once again, on behalf of the businesses throughout New England that rely on foreign born workers, I urge you to support language that increases the number of H-1B and H -2B visas, along with maintaining the exemptions for the higher education sector.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "James T. Brett". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

James T. Brett
President and CEO