



Mikulski Introduces "Save Our Small and Seasonal Businesses Act of 2007"

Introduction

Senator Barbara Mikulski (D-MD) has introduced S. 988, the "Save Our Small and Seasonal Businesses Act of 2007" to provide some cap relief for those using the H-2B Visa program. Senator Mikulski has introduced similar legislation in the past, and has been joined by 13 co-sponsors this year. The bill was referred to the Senate Judiciary Committee. Representative Bart Stupak (D-MI) introduced companion legislation in the House of Representatives, H.R. 1843. H.R. 1843 was referred to the House Judiciary Committee.

Background

The H-2B worker program is used for lesser-skilled, non-agricultural workers employed in many industries, including the horse industry, who work at racetracks, horse shows, fairs and similar non-agricultural activities.

Unfortunately, there is a cap of 66,000 on the number of H-2B visas that can be issued annually. Each year, once it has received enough petitions to meet the year's Congressionally-mandated cap of 66,000, the U.S. Citizenship and Immigration Services (USCIS) announces that it will not accept any more petitions for H-2B foreign workers for the Fiscal Year. This has seemed to occur earlier each year.

These programs can be affected each year by the cap, depending on when the admission period for the workers ends, whether it involves new workers or the extension of existing H-2B visas and other factors for particular workers.

In 2005, Congress passed the Save Our Small and Seasonal Businesses Act, which exempted from the cap workers who had received a visa under the H-2B program for the 3 previous years. This provision was set to expire in 2006.

In October 2006, President Bush signed the 2007 Department of Defense authorization bill into law. The bill included a provision, authored by Senator Mikulski that amended the 2005 law and extended the exemption for H-2B workers for one-year through 2007.

Save Our Small and Seasonal Businesses Act of 2007

Consistent with her previous efforts, Senator Mikulski has introduced S. 988, the "Save Our Small and Seasonal Businesses Act of 2007." S. 988 amends the Immigration and Nationality Act by providing that any alien who was counted toward the numerical limits during fiscal years 2004, 2005, and 2006, shall not count against the cap during fiscal year 2007. This exemption would extend through fiscal year 2012.

AHC Position

The AHC supports this bill that will allow the horse industry to continue to employ necessary foreign workers in non-agricultural positions. But this is just part of a broader need for immigration reform, both agricultural and non-agricultural. The AHC is working with a coalition of non-agricultural employers to change the broader alien worker provisions. Some of the reforms that are important to the horse industry include:

- Year-round visas
- A permanent fix to the cap within comprehensive immigration reform by including a market-based regulator on the base-cap number
- A permanent 3-year return worker exemption
- Addressing the capacity issues in the consulates and regional Department of Labor

Chandler and Stearns to Chair Congressional Horse Caucus

Congressmen Ben Chandler (D-KY) and Cliff Stearns (R-FL) are the Co-chairs of the Horse Caucus for the 110th Congress.

The Congressional Horse Caucus is a bipartisan group of Members of the House of Representatives formed to educate Members of Congress and their staffs about the importance of the horse industry in the economic, agricultural, sporting, gaming and recreational life of the nation. This group of Representatives has an expressed interest in the industry and wants to support the issues important to it. The Caucus had 60 members in the last Congress.

Ben Chandler is a third-term representative from Lexington, Ky. Cliff Stearns is a tenth-term representative from Ocala, Fl. Both have large and important horse industries in their districts.

To learn more about the co-chairs of the Congressional Horse Caucus, please visit their web sites at <http://chandler.house.gov> and www.house.gov/stearns.

The AHC encourages all of its members to contact their Representatives and encourage them to join the Horse Caucus by contacting the office of Representative Chandler or Representative Stearns.

To see a full list of the Congressional Horse Caucus members in the last Congress, please visit <http://horsecouncil.org/legislation/horsecaucus110.html>

Senate Commerce Committee Reports Horse Slaughter Ban

April 26, 2007

The Senate Commerce Committee reported out the Virgie S. Arden American Horse Slaughter Prevention Act (S. 311) today on a vote of 15 to 7. The next step for the bill is consideration by the Senate. When that might occur depends on the Senate schedule and the ability of supporters to bring it to the floor.

During the Committee's consideration of the bill, Senators Barbara Boxer (D-CA) and Ensign spoke in support of it and Senator John Thune (R-SD) opposed it.

The Bill

The bill was introduced by Senators Mary Landrieu (D-LA) and John Ensign (R-NV).

The bill would amend the Horse Protection Act (HPA), which was enacted in 1970 to prohibit the showing, transport or sale of horses that have been subjected to any painful process to accentuate their gate. The Animal & Plant Inspection Service (APHIS) of the U.S. Department of Agriculture enforces the HPA.

The bill would prohibit the shipping, transporting, or sale of horses for slaughter for human consumption. Such activities would be a violation of the HPA and subject any person who knowingly violates the Act to penalties of up to \$3,000 and/or one year in jail for the first offense and up to \$5,000 and/or two years in jail for a second offense. An offender may also be subject to civil penalties of \$2,000 for each violation.

The bill authorizes \$5 million for enforcement.

American Horse Council (AHC)

As the national trade association representing the horse industry in Washington, D.C., the American Horse Council works daily to represent equine interests and investments. Organized in 1969, the AHC has promoted and protected the industry by communicating with Congress, federal agencies and the media on behalf of all horse related interests. The AHC is member supported by individuals and organizations representing virtually every facet of the horse world from owners, breeders, veterinarians, farriers, breed registries and horsemen's associations to horse shows, race tracks, rodeos, commercial suppliers and state horse councils.

