

**Congress of the United States**  
**Washington, DC 20515**

May 17, 2012

The Honorable Hilda Solis  
Secretary, U.S. Department of Labor  
200 Constitution Ave. NW  
Washington, DC 20210

Dear Secretary Solis:

As you know, since the Department of Labor (DOL) issued each of its two recent H-2B rules (“Wage Methodology for the Temporary Non-agricultural Employment H-2B Program” and “Temporary Non-agricultural Employment of H-2B Aliens in the United States”), there has been substantial resistance from Congress. This opposition has been bipartisan, bicameral, and continues to strengthen as more members become educated on the effects these rules will have on small businesses and the economy. Opposition to these rules in Congress has also been effective, evidenced by the general provision in the FY2012 Consolidated Appropriations Act (P.L. 112-74), which prohibits funds from being used to implement the H-2B wage rule.

Joining Members of Congress in opposition to these rules have been countless small businesses across the country. Because of the importance of the H-2B program to their businesses, some of these companies have incurred significant financial costs by contesting the rules in the courts as a means of protecting their businesses and full-time workers. These businesses’ claims have been validated by the fact that a federal court has now found fault with DOL’s H-2B program rule, and has issued a preliminary injunction that prohibits DOL from implementing it.

There is no indication that Members of Congress or small businesses will relent in opposing any additional efforts by DOL to implement these rules. In the meantime, while any potential appeals are heard in court and while Congress continues to find legislative solutions to prevent the rules from taking effect, substantial resources and capital will continue to be expended to stop these rules (or, in DOL’s case, to attempt to implement them), all at the expense of taxpayers and small businesses. Because the tide of opposition to these rules appears to be growing, we feel that any further efforts by DOL to impose these rules will only result in wasted time, money, and resources. Therefore, we strongly urge you to officially withdraw both pending H-2B rules.

Thank you for your consideration. We look forward to your reply, and we remain open to working with you on ways we can strengthen the H-2B program, improve employment opportunities for American workers, and protect the rights and wages of all employees in the workforce.

Sincerely,



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MEMBER OF CONGRESS



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MEMBER OF CONGRESS



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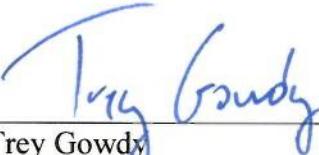
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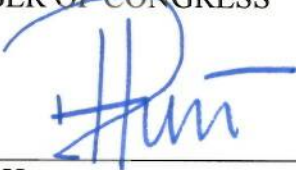
  
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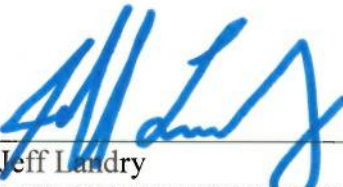
  
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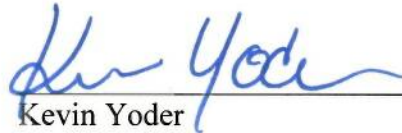
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