

111TH CONGRESS
1ST SESSION

H. R. 1136

To extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2009

Mr. STUPAK (for himself, Mr. WITTMAN, Mr. HINCHEY, Mr. BARTLETT, Mr. COSTA, Mr. BLUNT, Mr. DELAHUNT, Mr. SIMPSON, Mr. RUPPERSBERGER, Mr. BISHOP of New York, Mr. LATOURETTE, Mr. PLATTS, Mr. KRATOVIL, Mr. POMEROY, Mr. WILSON of South Carolina, Mrs. MILLER of Michigan, Mr. EHLERS, Mr. SARBANES, Mr. MARKEY of Massachusetts, Mr. ROTHMAN of New Jersey, Mr. LAMBORN, Mr. LOBIONDO, Mr. MCHUGH, Mr. MORAN of Virginia, Mr. MOORE of Kansas, Mr. COURTNEY, Mr. OBERSTAR, Mr. RYAN of Wisconsin, Mr. BROWN of South Carolina, Mr. LUCAS, Mr. LYNCH, Mr. WELCH, Ms. BORDALLO, Mr. BISHOP of Utah, Mr. HOYER, Mr. ISRAEL, Mr. PITTS, Mr. MCGOVERN, Mr. PAYNE, Mrs. TAUSCHER, Mr. LARSEN of Washington, Mr. KENNEDY, Mr. CAO, Mr. KIND, Ms. PINGREE of Maine, Mr. BOUSTANY, and Mr. CARNEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Save Our Small and
3 Seasonal Businesses Act of 2009”.

4 **SEC. 2. EXTENSION OF RETURNING WORKER EXEMPTION**
5 **TO H-2B NUMERICAL LIMITATION.**

6 (a) IN GENERAL.—Section 214(g)(9)(A) of the Im-
7 migration and Nationality Act (8 U.S.C. 1184(g)(9)(A) is
8 amended, by striking “an alien who has already been
9 counted toward the numerical limitation of paragraph
10 (1)(B) during fiscal year 2004, 2005, or 2006 shall not
11 again be counted toward such limitation during fiscal year
12 2007.” and inserting “an alien who has been present in
13 the United States as an H-2B nonimmigrant during any
14 1 of the 3 fiscal years immediately preceding the fiscal
15 year of the approved start date of a petition for a non-
16 immigrant worker described in section
17 101(a)(15)(H)(ii)(b) shall not be counted toward such lim-
18 itation for the fiscal year in which the petition is approved.
19 Such alien shall be considered a returning worker.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect as if enacted on October
22 1, 2008.

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