



1 remaining thirty-three thousand H-2B visas granted to workers who begin employment in  
2 the second half of the fiscal year (April 1 - September 30); and

3 WHEREAS, any unused visas from the first half of the fiscal year are available for  
4 employers seeking to hire H-2B workers during the second half of the fiscal year; however,  
5 unused H-2B visas from the previous fiscal year do not carry over into the next fiscal year;  
6 and

7 WHEREAS, once the H-2B cap is reached, the United States Citizenship and  
8 Immigration Services may only accept petitions for H-2B status from individuals who are  
9 exempted from the H-2B cap; and

10 WHEREAS, those individuals who are exempted from the H-2B cap include:

11 (1) Workers in the United States in H-2B status, who extended their stay, changed  
12 employers, or changed the terms and conditions of employment.

13 (2) Workers previously counted against the H-2B cap in the same fiscal year and the  
14 employer has indicated the workers were already counted.

15 (3) The spouse and children of H-2B workers.

16 (4) Fish roe processors or fish roe technicians or supervisors in that industry; and

17 WHEREAS, according to the Louisiana State University (LSU) Agricultural Center,  
18 in the last several years, there has been a steady increase in the number of applications for  
19 H-2B status and the number of H-2B workers; and

20 WHEREAS, according to the LSU Agricultural Center, based on the latest data on  
21 states and H-2B employment usage, Louisiana is ranked fourth with employing five  
22 thousand nine hundred and seventy-four H-2B workers, which accounted for four and seven  
23 tenths percent of the total certified positions for the first and second quarters for the 2020  
24 fiscal year; and

25 WHEREAS, based on these statistics, the H-2B program is greatly utilized by  
26 Louisiana businesses and appears necessary for operation; and

27 WHEREAS, the ongoing COVID-19 pandemic has not only affected and burdened  
28 the healthcare industry in this state, but the business industry as well, since as a result of the  
29 COVID-19 pandemic, businesses had to temporarily, and in some cases permanently, shut  
30 down and layoff employees; and

1           WHEREAS, businesses are slowly, but surely, starting to recover from the collateral  
2 effects of an ongoing healthcare crisis that has caused our state's economy to become  
3 somewhat stagnant; and

4           WHEREAS, a modification of the H-2B program could help business owners further  
5 extend their recruitment efforts and allow them to hire more H-2B workers as necessary to  
6 help revitalize their business and keep them afloat.

7           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
8 memorialize the United States Congress to take such actions as are necessary to modify the  
9 H-2B nonimmigrant program to assist with the labor workforce shortage in the state of  
10 Louisiana.

11           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
12 presiding officers of the Senate and the House of Representatives of the Congress of the  
13 United States of America and to each member of the Louisiana congressional delegation.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HCR 63 Engrossed

2021 Regular Session

Romero

Memorializes the U.S. Congress to take such actions as are necessary to modify the H-2B nonimmigrant program to assist with the labor workforce shortage in the state of Louisiana.