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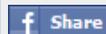


## OPINION: H-2B issue shows lack of empathy for Guam residents

10 Oct 2017



By Sen. Mary Camacho Torres - Liheslaturan Guåhan



**HAGÁTÑA (The Guam Daily Post)** — The H-2B visa issue again made the headlines after the governor's office cautioned the federal government that the military buildup and the island's health and safety are at stake due to the non-resolution of the temporary worker problem on Guam.

U.S. Citizenship and Immigration Services has been denying nearly 100 percent of Guam employers' petitions to hire foreign workers under the H-2B visa program.

Historically, Guam was getting about 1,500 approved H-2B visas every year. That changed in 2015, when USCIS began denying these petitions "based on a new interpretation of 'temporary need.'"

With the unprecedented denial rate of H-2B visas, the number of temporary workers on Guam has dropped to less than 100 and H-2B visa issuance is nearly at a standstill.

According to the Guam Contractors Association, which has a pending lawsuit against USCIS, petitions for the H-2B visa program for Guam had a whopping 99.3 percent rejection rate.

This rejection rate continues despite the existing H-2B visa cap exemption set by USCIS, which covers workers performing labor or services in the Commonwealth of the Northern Mariana Islands and Guam from Nov. 28, 2009, until Dec. 31, 2019.

In the meantime, more than \$1 billion worth of military, local government and private sector projects are already in the pipeline. Some have begun even though the H-2B problem continues unresolved.

In military projects alone, some \$253 million in new construction are authorized for fiscal 2017, while for fiscal 2018, some \$354 million have been proposed in addition to other ongoing or planned military construction projects.

In the government of Guam sector, the A.B. Won Pat Guam International Airport Authority is planning a \$110 million project to install new corridors for departing and arriving passengers.

In addition, the proposed \$100 million renovation of Simon Sanchez High School and a variety of other GovGuam infrastructure projects (including a recently passed bill that would upgrade the island's roadways) would also require the use of many H-2B workers.

### ***Impact on civilian sector***

But it is not just the military and GovGuam that will be adversely affected by the H-2B visa problem. So, too, will the

civilian sector. Local residents like you and me now face the prospect of higher building and real estate co

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The drop in H-2B visas resulted in a scarcity of construction workers on island which, in turn, has led to a spike in the cost of new construction.

I've experienced this personally while working on a new home project that would also serve as a place for weekly family gatherings and special celebrations for the clan. So far, I've lost two contractors because they can't get the workers needed to complete the project. My concern is that even if they do manage to get workers from Guam's existing pool, it will come at such a high cost that the project will become unaffordable.

This scenario seems to be gaining momentum from what I hear. Families who want to expand their homes cannot do so. Families who want a home of their own cannot build one. And those who want to rent homes may find the rates are too high.

It's only a matter of time when housing developers and business investors back off because of Guam's labor problems and higher construction costs.

I am struck by the federal government's disregard to collateral damage of this policy call. They must know how dependent we are on temporary labor and yet they seem to have made a sudden, unilateral decision that's indifferent to the welfare of our entire island community.

The humane way to effect a change of this magnitude — a wholesale reversal of immigration policy on Guam — is to implement the change in phases. The federal government should have implemented the new H-2B interpretation gradually, rather than pulling the rug out from under our economy all at once. They should have given adequate time to prepare for the change and anticipate adverse impacts.

The situation in the CNMI provides precedent for the "phase in" approach. There, the federal government established a transition period and delayed the takeover of border security and enforcement of federal immigration system. Why not apply a similar transition period to our H-2B workers on Guam?

While we should ultimately end our dependency on temporary foreign labor, we cannot do so overnight. Our leadership is responding to the challenge of growing an adequate skilled labor force on Guam with the trades academy and other programs. But this will take years. In the meantime, the federal government should cut us a little slack because this policy cuts deep into the community.



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