

# Governor: Military exemption could be solution to foreign labor problem

Steve Lintiaco, Pacific Daily News USA TODAY Network Published 5:57 p.m. ChT March 20, 2019

Guam businesses that need to bring in skilled foreign workers should apply for a military-related visa exemption, even if they're not working on a military-contracted project, said Gov. Lou Leon Guerrero.

Leon Guerrero, who was guest speaker Wednesday at a Guam Contractors Association luncheon at the Hyatt Regency Guam, spoke at length about the ongoing problem of getting federal approval for visas for workers on civilian projects.

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The federal government since 2015 has rejected nearly all requests by Guam businesses for the use of foreign workers under H-2B visas. The defense budget grants an exemption for foreign workers needed for military projects. There is a nearly 100 percent approval rate for military-related visas, and more than 800 foreign workers currently are on island as a result.

"The (National Defense Authorization Act) exemption is not restricted to military contracts. Rather, it allows for projects associated with the military realignment," Leon Guerrero said. "This exemption has not been used as widely as it could, and contractors should explore their options."



Gov. Lou Leon Guerrero addresses members and guests of the Guam Contractors Association during their membership luncheon at the Hyatt Regency Guam in Tumon on Wednesday, March 20, 2019. (Photo: Rick Cruz/PDN)

She said the Tsubaki Tower hotel project demonstrates that worker visas for private developments can be approved under an exemption.

## NDAAs worker exemptions

Greg Massey, administrator of the alien labor processing and certification division of the Guam Department of Labor, said three companies received NDAAs worker exemptions, for about 100 workers to build the hotel.

He said Joint Region Marianas agreed with the argument that hotel rooms will be needed to provide temporary housing for contractors and service members, and federal immigration officials approved the visas.

"They're the only ones that tested the waters so far," he said. "If people have the need for these supplemental workers, no matter what the projects are, come consult with us."

Massey said the NDAAs exemption applies to projects directly connected to or even associated with the military buildup. He said the Tsubaki Tower visas

are an example of a project associated with the buildup. A visa approved for Guam Bakery, for a baker, is an example of a directly connected project, as the bakery is under contract to provide bread to the military, he said.

Gov. Leon Guerrero said, "All projects on Guam are integral to the military, as well as to our economy and its future development. From infrastructure, to hotels, to restaurants - even to the homes we build - all go toward improving the quality of life for our people, as well as toward providing an ideal duty station for the men and women of our U.S. military who make Guam their temporary homes."

## No problem with laborers overstaying

Leon Guerrero also discussed the federal government's decision, since January, to exclude workers from the Philippines from the worker visa program for one year because of concerns they overstay their visas.

Leon Guerrero said Guam does not have a problem with Philippine laborers overstaying their visas, with only about 1 percent or 2 percent staying longer than allowed.

She said it's not a problem on Guam because the workers aren't able to leave the island and go elsewhere in the country without first going through immigration checkpoints.

She called on businesses to start developing foreign labor sources from countries other than the Philippines, which has been the island's main source of foreign labor for decades.

"While my administration continues to push the Trump administration on this issue, we must be vigilant in preparing for future disruptions to our supplemental workforce and address our overdependence on foreign skilled workers from a limited pool of countries," she said.

Those interested in consulting with the Labor Department on NDAA visa exemptions can call 475-8005 or 475-8013.

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