

Hearing on H-2B case likely in early 2018

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(Photo: PDN file photo)

U.S. District Court Chief Judge Frances Tydingco-Gatewood gave parties more time to file additional information in the case involving the federal government's nearly 100 percent denial of foreign skilled worker visas for Guam.

In a joint response to the judge's Oct. 30 order to suggest hearing dates, the parties on proposed Jan. 11, Jan. 12, March 1 and March 2.

The plaintiffs in the case include the Guam Contractors Association and 11 businesses that have used laborers under the federal government's H-2B visa program.

They sued in 2016 after federal immigration officials started denying nearly all requests for the use of temporary skilled foreign labor under the program.

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The plaintiffs have accused federal immigration officials of improperly changing the visa program, but the federal government has argued Guam businesses have long abused the program, which is intended only for temporary labor.

The number of H-2B workers on Guam has dwindled, from more than 1,000 in recent years, to fewer than 50. Businesses have said the lack of the temporary foreign work force makes it difficult to take on any new construction projects, for the military buildup or otherwise.

The plaintiffs have asked the court for a temporary injunction, forcing the federal government to approve the visa requests, but Magistrate Judge Joaquin Manibusan has recommended that the chief judge reject that request because he believes the plaintiffs are unlikely to win their case.

Tydingco-Gatewood has said she believes additional briefing with respect to seven questions may be useful, but the parties asked for more time to provide information. The chief judge cancelled a Nov. 2 deadline to provide supplemental briefs, as well as the Nov. 9 hearing on objections to Manibusan's report.

Gov. Eddie Calvo said President Donald Trump last weekend assured him Guam's problem in getting H-2B visas approved will be resolved. Calvo said he talked to the president at a U.S. Pacific Command event in Hawaii.

Calvo earlier this year withdrew his support for the pending military buildup, citing the unresolved visa issue.

Reporter Haidee Eugenio covers Guam's Catholic church issues, education, business and more. Follow her on Twitter [@haidee_eugenio](https://twitter.com/haidee_eugenio) (https://twitter.com/haidee_eugenio). Follow Pacific Daily News on Facebook/GuamPDN (<http://www.facebook.com/guampdn/>) and Instagram [@guam](http://instagram.com/GuamPDN) (<http://instagram.com/GuamPDN>)mpdn (<http://instagram.com/GuamPDN>).

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