

Cape employer tells Congress visa dispute harmful

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In a packed room of the Rayburn House Office Building in Washington, D.C., yesterday afternoon, William Zammer waited patiently for his turn to speak.

Seated between two critics of H-2B visas, the Cape Cod restaurateur got his chance shortly before 6 p.m., hours after the House Judiciary subcommittee on immigration opened a public hearing intended to help break a congressional impasse on the guest worker program.

"My message to you is very simple: Please retain the H-2B program and extend the H-2B returning worker exemption," Zammer told the subcommittee, which includes the Cape and Islands representative, William Delahunt.

Between Easter and Thanksgiving, Cape Cod businesses require 23,800 additional employees, Zammer said. About 5,000 of those workers have been coming to the country on H-2B visas, he said.

About 66,000 new H-2B visas are issued nationwide annually. In recent years, Congress has exempted returning H-2B workers from that cap. But this year, advocates for comprehensive immigration reform have blocked efforts to continue the exemption for returning workers, creating a shortage of seasonal workers on the Cape and Islands.

"We simply do not have enough workers to fill the available jobs," Zammer said. "In mid-summer, when our population triples, there are simply not enough people to cook and serve meals, make the beds and drive the buses."

In an interview with the Times before he went to Washington, Zammer said it's probably too late to break the H-2B impasse in time to make a difference on the Cape and Islands this year.

"I don't believe at this moment that this will have any effect on this year," he said of the H-2B debate in Washington.

To make up for the missing workers, local businesses have held job fairs and have tried to make do with students and H-2B visa holders who can transfer from other parts of the country.

But many business owners have said they may have to cut back on services if they don't find more help soon.

During yesterday's hearing, Zammer, who owns and operates the Coonamesett Inn and The Flying Bridge in Falmouth, found himself at the center of a debate that ranged from comprehensive immigration reform to alleged abuses of H-2B workers by employers.

"What we have seen in this program in the real world is that it is highly abusive," Mary Bauer, director of the Immigrant Justice Project at the Southern Poverty Law Center, testified.

"Workers have few rights and those rights are rarely enforced."

The H-2B program is "structurally flawed," Bauer said. She argued the H-2B program does not allow workers to easily change employers if they find themselves in an undesirable job.

In his testimony, Zammer said he pays his employees \$25,000 to \$30,000 over nine months — more than is required under government mandates. "We do not mistreat H-2B workers," he said.

The H-2B program has to be viewed in a broader context, according to U.S. Rep. Luis Gutierrez, an Illinois Democrat who is part of a group of Hispanic lawmakers that has blocked efforts to tinker with the H-2B program until comprehensive immigration reform is enacted.

"While I feel sympathetic and understand the plight of H-2B," Gutierrez said during yesterday's hearing, "I always look at the greater context of our immigrant community."

Later in the hearing, Gutierrez and other members of the subcommittee indicated that if employers helped push an immigration reform package through Congress, they would throw their full support behind an H-2B program with greater protections for foreign and American workers.

Several immigration reform efforts are stalled in Congress. Advocates for the reform packages hope that the next president will break the logjam.

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