

OPINION

Our Say: Congress' inaction strangling longtime Maryland industry

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Sunday's story about crab-picking houses in Dorchester County showed that these venerable Eastern Shore businesses are closing their doors because of a labor shortage. This, in turn, hurts their suppliers - the watermen.

But the labor shortage is artificial. Many experienced seasonal workers who have done this job before are ready and eager to do it again. The problem: Those workers are mostly in Mexico. They can't come to Maryland because Congress won't fix an outdated and arbitrary program: H2B visas.

Picking the meat out of a crab is a difficult, tedious job - seasonal work, not well paid, and generally done in isolated rural locations. For many generations, the job was done by local people. But as the economy diversified, education improved and the Eastern Shore became less isolated, the work became less attractive. Women could get better jobs, and the region's high school graduates began leaving the area.

So the local crab-processing industry began leaning more heavily on imported employees, using H2B visas that allow such workers to enter the United States for temporary nonagricultural jobs. A crab-picker's wages are better than workers from Mexico can earn at home; they send the extra money home, or use it to buy goods for their families in local stores. A University of Maryland study estimated that every H2B worker saved or created 2.5 American jobs.

The problem is that the number of H2B workers each year is capped at 66,000 - the number Congress apparently picked out of a hat in 1990. And visas are administered under a cumbersome system that doesn't allow employers to file a request more than 120 days before workers are needed. If other seasonal businesses snap up the 66,000 first, the Eastern Shore seafood houses are out of luck.

This year, they're out of luck - and out of business.

Sen. Barbara Mikulski, D-Md., has long pushed to get returning H2B workers exempted from the 66,000 ceiling; a measure she introduced was signed into law in 2005. Unfortunately, it isn't permanent. Mikulski got the law extended in 2006 and 2007, but her attempt to tack another extension onto a 2008 appropriations bill failed. So far, her 2009 bill to extend the exemption three more years hasn't gotten traction.

As Sunday's story showed, foreign workers at crab-processing plants are not taking jobs from Americans. Strenuous efforts to recruit and train local people have failed. Without the foreign workers, the plants can't be opened, and the few local workers who want the jobs can't be employed.

The Eastern Shore's congressman, Frank Kratovil, notes that some of his colleagues don't want piecemeal adjustments to immigration laws because they favor comprehensive reform. We favor such reform, too - but don't think that, in the meantime, an industry should be killed because of Congress' dithering.

We urge Mikulski, Kratovil and other Maryland legislators to keep working on cleaning up the H2B mess before it's too late for this traditional Maryland industry.