

## Without Worker Visas, Businesses Scramble to Fill Labor Void

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Kevin Sieff--The Brownsville Herald

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For years, Margaret Atkins has relied on 75 seasonal workers from southern Mexico to assemble carnival rides, sell cotton candy, and operate Ferris wheels and merry-go-rounds. But when Atkins' company, Thomas Carnival, visited Brownsville in March, the workers hadn't come, leaving the carnival badly understaffed.

Like a growing number of the American amusement industry, Thomas Carnival works through the H-2B visa program to enlist unskilled workers from Mexico and Central America. This year, the program has been drastically cut.

"Without our workers from Mexico, it's tough to continue operation," Atkins said. Instead of overseeing operation of the carnival, Atkins is now forced to fill a void in her labor force by selling nachos at the Midway Diner.

For several years, employers were able to rehire their former employees in the form of the "return worker exemption" without fear of reaching a cap on H-2B visas. But in September, the Congressional Hispanic Caucus blocked voting on legislation that would have renewed the exemption.

As a result, this year a cap of 66,000 H-2B visas will be enforced without exemptions, reducing the number of visas filled in 2007 by almost 70,000.

The implementation of the cap has already had far-reaching effects. Small cities in Mexico have lost a critical source of employment and remittances. Carnivals in the U.S. have been forced to either shut down or consider alternative sources of labor-including undocumented workers.

But while its repercussions have played out in disparate corners of North America, the origins of the H-2B visa crisis can be easily traced to Washington, D.C. The Congressional Hispanic Caucus' political maneuverings have created both unlikely allies and antagonists in Congress.

The CHC wants the ever-popular return worker exemption renewed -- but only if it's attached to legislation related to its larger goals for immigration.

"It's unfair to piecemeal this thing out," said U.S. Rep Charles A. Gonzalez, D-San Antonio, the Congressional Hispanic Caucus' second vice chair. "A stand-alone H-2B remedy isn't going far enough."

According to Gonzalez, by withholding support for a quick-fix to the H-2B program, the Congressional Hispanic Caucus gains important allies in the business community.

"Business owners tell us, 'You guys are holding us hostage,'" he said. "But once H-1B and H-2B problems are solved, they won't feel any compulsion to support us with the entire program. ... We need proponents to come together."

Members of both parties say that comprehensive immigration reform will not likely receive due attention before the 2008 presidential election. But that hasn't stopped the CHC from withholding its support from a resolution that would maintain the H-2B program.

"I told my colleagues in June, 'If the business community is not behind us 100 percent we are not going to pass immigration reform,'" Gonzalez said. "Unfortunately, I was right."

### Odd Bedfellows

While the H-2B program is paralyzed, in part, by the Congressional Hispanic Caucus' refusal to consider the issue independently of comprehensive reform, it faces more vehement opposition from a contingent of anti-immigration politicians and pundits. Guest worker programs, they say, are destructive to the domestic economy and open the door to illegal immigration.

"With a loss of 63,000 jobs nationwide last year, we need to be very cautious with any work visa program," said U.S. Rep. Tom Tancredo, R-Colo., the founder of the Immigration Reform Caucus. "And due to lack of enforcement, workers who come to the U.S. legally remain here illegally."