

Crabbers want pickers but get politics instead

Crab season is here, but last year, Congress let expire a law allowing foreign workers to return.

By PATRICK LYNCH | 247-4534

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Virginia is three weeks into crab season, and it's still not clear who — if anyone — is going to pick meat from the millions of blue crabs that watermen will deliver to the docks through the summer and fall.

Crab picking was once a profession passed through generations of Tidewater families, but that's not the case anymore. For a decade, most of the succulent meat from [Chesapeake Bay](#) blue crabs has been picked and packaged by seasonal workers from Latin America — and right now, most of them remain home, held up by immigration politics in Washington.

As the industry faces dangerously low numbers of crabs and more severe fishing restrictions — designed to restore the stock for the long term but economically damaging in the short term, nonetheless — the lack of pickers is one more obstacle to the business of blue crabs.

Small-business owners dependent on H-2B workers — allowed into the country as temporary guest workers — have steadily lobbied their congressional representatives to continue supporting the program. And it seemed to have some effect, with many in Congress promising to take up the issue after they returned from a two-week recess last Tuesday.

"That's what we've been led to believe," Johnny Graham said. "Of course, I've been hearing that for several months."

Graham, president of Graham & Rollins in downtown Hampton, has said repeatedly that if the impasse lasts too long, he's not sure what he can do to keep his doors open. A big scale-down is possible. It's also possible that a large scale-down would prove economically impossible. Graham typically employs about 120 workers, and about 100 of those are through the visa program.

It's early in the crab season, and picking typically starts in any volume a few months after the season opens. So the dilemma hasn't reached an ultimate decision point yet.

But it remains to be seen whether there'll be any action soon on the many bills in the House and Senate that would expand the H-2B program. The Hispanic Caucus has opposed the bills, saying it should be dealt with only in the framework of comprehensive immigration reform.

A spokesman for House Speaker [Nancy Pelosi](#) said Friday that there were continuing discussions about the program.

But he emphasized that there was a need for "balanced" legislation that took border security, guest workers and immigration into account.

"Meetings are taking place. Meetings took place (Friday), in fact," said Nadeam Elshami in Pelosi's office. But, he said, "I don't want to prejudge what the next steps are going to be."

The seasonal workers have proven themselves, according to Graham and other crab house owners, as the only reliable work force willing to do the menial labor. Most of the same workers return every year. Business owners pay for their travel and housing, as well as pay into Social Security and Medicare on their behalf, even though the workers aren't eligible for those and aren't on a U.S. citizenship track.

The U.S. is supposed to allow in 66,000 H-2B visa workers a year. But the foreign laborers were in such demand by roofers, landscapers and seafood businesses that an exemption was created years ago to allow returning workers not to count against that cap. Congress let the exemption expire last year, and businesses then applied in alphabetical order until the 66,000-worker limit was met. That's how so many businesses — even those starting with a "G" — were left in the lurch for this season.

The program also requires business owners to prove that they have made every effort to find U.S. workers. Virginia's crab house owners say they do so — that the jobs are constantly advertised and rarely applied for.

Pickers get paid by the pound, so the more skillful earn more a day, and those workers can average up to \$14 an hour.

[David Bell](#) is a sixth-generation waterman from [Cape Charles](#) who brings his crab catch to Graham. He said he tired of hearing complaints that Americans were using seasonal workers to save money. He pointed to the cost of paying for the workers' travel and housing.

"It's not like we're bringing them in to get cheaper labor," Bell said. "It's to get any labor."