

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MS. BORDALLO OF GUAM**

Page 462, after line 13, insert the following:

1 **SEC. 1098. SPECIAL FLEXIBILITY FOR EXTENSION OF H-2B**
2 **VISAS FOR DEPARTMENT OF DEFENSE CON-**
3 **TRACTORS ON GUAM.**

4 (a) IN GENERAL.—In order to ensure that an ade-
5 quate number of workers will be available on Guam for
6 legitimate Department of Defense contract fulfillment
7 purposes, in the case of an employer described in sub-
8 section (b), the Secretary of Homeland Security is author-
9 ized to waive such requirements as the Secretary deems
10 necessary that otherwise would apply to a petition for a
11 first extension of the period of authorized stay in the
12 United States on behalf of an alien who has status under
13 section 101(a)(15)(H)(ii)(b) of the Immigration and Na-
14 tionality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)). The pre-
15 ceding sentence shall not apply if the extension would re-
16 sult in the alien continuously having status under such
17 section 101(a)(15)(H)(ii)(b) for a period of 3 years or
18 more.

1 (b) EMPLOYER DESCRIBED.—An employer is de-
2 scribed in this subsection if the employer seeks the exten-
3 sion described in subsection (a) on behalf of an alien em-
4 ployed on Guam to fulfill a contract with the Department
5 of Defense for work to be performed on Guam.

6 (c) SUNSET.—This section shall remain in effect dur-
7 ing the 5-year period beginning on the date of the enact-
8 ment of this Act, unless the Secretary of Homeland Secu-
9 rity, in consultation with the Secretary of Defense, deter-
10 mines that an extension is necessary to ensure that an
11 adequate number of workers will be available on Guam
12 for legitimate Department of Defense contract fulfillment
13 purposes. If the Secretary of Homeland Security, in con-
14 sultation with the Secretary of Defense, determines that
15 such an extension is necessary, the Secretary of Homeland
16 Security may, through notice published in the Federal
17 Register, provide for an extension period of up to 5 years.

