

AMENDMENT TO H.R. 1603
OFFERED BY MR. GRAVES OF LOUISIANA

Page 133, after line 21, insert the following:

1 **SEC. 208. H-2B VISA PILOT PROGRAM FOR DISASTER RE-**
2 **SPONSE.**

3 (a) ESTABLISHMENT.—Notwithstanding any other
4 provision of law and subject to the limitations under sub-
5 section (b), not later than 18 months after the date of
6 enactment of this Act, the Secretary of Homeland Secu-
7 rity, in consultation with the Secretary of Labor and the
8 Administrator of the Federal Emergency Management
9 Agency, shall establish through regulation a six year pilot
10 program to facilitate the use of H-2B workers to perform
11 labor or services necessary to recover and rebuild a com-
12 munity affected by a Federally-declared disaster, without
13 regard to the numerical cap on H2-B workers.

14 (b) LIMITATION.—

15 (1) NO IMPACT ON AMERICAN JOBS.—The Sec-
16 retary of Homeland Security may only issue H-2B
17 visas without regard to the numerical cap under sub-
18 section (a) in excess of the domestic capability to
19 perform labor or services necessary to recover and

1 rebuild a community affected by a Federally-de-
2 clared disaster.

3 (2) INITIAL OFFER OF EMPLOYMENT RE-
4 QUIRED.—No alien may be granted a H-2B visa
5 without regard to the numerical cap without an ini-
6 tial valid offer of employment to perform labor or
7 services necessary to recover and rebuild a commu-
8 nity affected by a Federally-declared disaster.

9 (c) ENFORCEMENT.—The Secretary of Labor shall be
10 responsible for conducting investigations and random au-
11 dits of employers to ensure compliance with the employ-
12 ment-related requirements under subsection (b). The Sec-
13 retary of Labor shall have the authority to collect reason-
14 able civil penalties for violations, which shall be utilized
15 by the Secretary of Labor for the administration and en-
16 forcement of the provisions of this section.

17 (d) REPORT.—Not later than six months before the
18 end of the third fiscal year of pilot program established
19 under subsection (a) the Secretary of Homeland Security,
20 in consultation with the Secretary of Labor and the Ad-
21 ministrator of the Federal Emergency Management Agen-
22 cy, shall report to Congress on the pilot program estab-
23 lished under subsection (a).

