

113TH CONGRESS
1ST SESSION

S. 518

To authorize the issuance of H₂O nonimmigrant visas for aliens temporarily performing labor in the seafood processing industry.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2013

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To authorize the issuance of H₂O nonimmigrant visas for aliens temporarily performing labor in the seafood processing industry.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “H₂O Visa for Seafood
5 Processing Act”.

6 **SEC. 2. AVAILABILITY OF H₂O NONIMMIGRANT VISAS FOR**
7 **SEAFOOD PROCESSING INDUSTRY.**

8 (a) TECHNICAL AMENDMENTS; AVAILABILITY OF
9 H₂O NONIMMIGRANT VISAS FOR ALIENS WORKING IN
10 SEAFOOD PROCESSING INDUSTRY.—Section

1 101(a)(15)(H) of the Immigration and Nationality Act (8
2 U.S.C. 1101(a)(15)(H)) is amended—

3 (1) in clause (i)—

4 (A) by striking “an alien (i) (b) subject”
5 and inserting the following “an alien—
6 “(i)(b) subject”;

7 (B) in subclause (b), by striking “section
8 212(n)(1), or” and inserting “section
9 212(n)(1);”;

10 (C) in subclause (b1), by striking “section
11 212(t)(1), or” and inserting “section
12 212(t)(1);” and

13 (D) in subclause (c), by striking “or” at
14 the end; and

15 (2) in clause (ii)—

16 (A) in subclause (a), by striking “nature,
17 or” and inserting “nature;”;

18 (B) in subclause (b), by striking “or” at
19 the end; and

20 (C) by adding at the end the following:

21 “(o) having a residence in a foreign
22 country, which the alien has no intention
23 of abandoning, who is coming temporarily
24 to the United States to perform labor in
25 the seafood processing industry; or”.

1 (b) STATE CONSULTATION REQUIREMENT.—Section
2 212(a)(5)(A) of the Immigration and Nationality Act (8
3 U.S.C. 1182(a)(5)(A)) is amended—

4 (1) in clause (i), by striking “Attorney General”
5 and inserting “Secretary of Homeland Security”;
6 and

7 (2) by adding at the end the following:

8 “(v) SEAFOOD PROCESSING.—The
9 Secretary of Labor may not make a certifi-
10 cation under clause (i) with respect to the
11 seafood processing industry without first
12 consulting with the governor and the labor
13 commissioner of the State in which the
14 alien is to perform such labor.”.

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