AMENDMENT NO._____ Calendar No._____

Purpose: To provide equivalent treatment for the spouses and minor children of certain long-term contract agricultural workers and W-1 visa holders.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 744

To provide for comprehensive immigration reform and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LEAHY

Viz:

On page 1094, strike lines 16 through 24, and insert the following:

"(6) TREATMENT OF SPOUSES AND CHILDREN.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), a spouse or child of a nonimmigrant agricultural worker—

"(i) shall not be entitled to a visa or any immigration status by virtue of the relationship of such spouse or child to such worker; and

"(ii) may be provided status as a nonimmigrant agricultural worker if the spouse or child is independently qualified for such status.

"(B) EXCEPTION.—Notwithstanding subparagraph (A)(i)—

"(i) an alien spouse and minor children of a nonimmigrant agricultural worker whose contract or offer of employment is for a period of 1 year or more may be admitted to the United States pursuant to clause (iii) or (iv) of section 101(a)(15)(W) during the period of the principal nonimmigrant agricultural worker's admission;

"(ii) such alien spouse and minor children shall not be counted against the numerical limitation in subsection (c); and

"(iii) such alien spouse shall be—

"(I) authorized to engage in employment in the United States during such period of admission; and

"(II) provided with an employment authorization document, stamp, or other appropriate work permit.

"(C) RULE OF CONSTRUCTION.—Nothing in subparagraph may be construed to require an employer of a nonimmigrant worker to provide housing or a housing allowance to the spouse or child of such worker.