

## S 2827

Willing Workers and Willing Employers Act of 2016

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Immigration

**Introduced:** Apr 20, 2016

**Current Status:** Read twice and referred to the Committee on Finance.

**Latest Action:** Read twice and referred to the Committee on Finance. (Apr 20, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/2827>

### Sponsor

**Name:** Sen. Flake, Jeff [R-AZ]

**Party:** Republican • **State:** AZ • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Apr 20, 2016

### Subjects & Policy Tags

**Policy Area:**

Immigration

### Related Bills

*No related bills are listed.*

## Willing Workers and Willing Employers Act of 2016

This bill amends the Immigration and Nationality Act to establish, for 10 years, an H-2C visa nonimmigrant classification for an alien who is coming temporarily to the United States to perform services or labor in a registered position for a registered non-agricultural employer.

An alien may not be admitted as an H-2C nonimmigrant if the alien:

- is inadmissible under this Act,
- fails to pass a criminal or a national security background check,
- is from a country that has supported acts of international terrorism, or
- has not received an offer of employment from a registered employer in a registered position.

A registered position is a position for which a registered employer has submitted an H-2C hiring attestation to, and that has been approved by, the Department of Homeland Security (DHS).

An occupation requiring an individual with a bachelor's degree or higher level of education may not be an eligible H-2C occupation.

Employers must: (1) register with DHS, (2) operate in an employment area where the unemployment rate is equal to or less than 4.9%, (3) attest that they have advertised and attempted to recruit qualified U.S. workers, and (4) participate in the E-verify program or an employment verification system patterned upon E-verify. Such employers may: (1) promote an H-2C worker after not less than 12 months on the job, and (2) terminate an H-2C worker at any time for any reason for which it is lawful to terminate U.S. workers.

The maximum number of positions that may be approved for the first fiscal year is 65,000, and the number of positions that may be approved for a subsequent fiscal year may not be less than 45,000 or more than 85,000.

The initial period of authorized presence for an H-2C worker is 36 months, with specified renewal periods.

A percentage of H-2C positions are reserved for small businesses.

The bill prescribes penalties for: (1) H-2C worker violations, revocation of employment status, and removal from the United States; and (2) employer violations, including program ineligibility.

An H-2C worker: (1) may travel outside, and be readmitted to, the United States; (2) may not bring family members into the United States who have not received employment offers from a registered employer; (3) must comply with biometric entry and exit requirements; and (4) may terminate employment at any time and accept employment with another registered employer in any other registered position.

DHS shall implement an electronic monitoring system to monitor the presence and employment of H-2C workers.

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## Actions Timeline

- **Apr 20, 2016:** Introduced in Senate
- **Apr 20, 2016:** Read twice and referred to the Committee on Finance.