



# American Horse Council Washington Update

## Broad Immigration Legislation Introduced in House

Comprehensive immigration legislation has been introduced in the House of Representatives to reform the nation's immigration laws. The Security Through Regularized Immigration and a Vibrant Economy Act of 2007 (H.R. 1645), called the STRIVE Act, was introduced by Representatives Luis Gutierrez (D-IL) and Jeff Flake (R-AZ).

### Immigration and the Horse Industry

The issue of comprehensive immigration and guest worker reform is important to the horse industry. Horse breeders, ranchers, training facilities, horse shows, trainers and others depend on seasonal and long-term foreign workers to fill labor demands not met by American workers. The industry needs workable programs for its H-2A agricultural workers and its H-2B non-agricultural workers. Many employers in the horse industry also see comprehensive immigration/guest worker reform as a way to regularize their current workforce and meet their labor demands as the new programs are initiated.

### STRIVE Act

The STRIVE Act takes an "enforcement-first" approach, but also includes broad reforms, which could not be implemented until the Secretary of the Department of Homeland Security has certified that improvements in border surveillance technology are being implemented; that the systems and infrastructure necessary to carry out improvements to immigration document security are ready to use; and that the first phase of an Electronic Employment Verification System.

### New H-2C Program

The STRIVE Act would initiate a new guest-worker program for "H-2Cs" that would replace many of the non-immigrant alien worker categories included in existing programs, including the current H-2B temporary and seasonal workers program. These H-2Cs would be year-round workers who could be admitted for three years. This new program would include the horse industry's non-agricultural H-2B workers, but would not include current H-2A workers. The H-2A program would continue under the AgJobs provisions of the bill.

The H-2C visa would be valid for three years and renewable for another three. An employer would still have to give U.S. workers the job opportunity first, document that American workers are not

available and document that alien workers would not displace U.S. workers or adversely affect their wages or working conditions. Alien workers would have to complete criminal- and terrorism-related background checks, pay a \$500 application fee, undergo a medical exam and show admissibility to the U.S.

The H-2C visa program would have an initial cap of 400,000, which would be adjusted annually based on market fluctuations.

### New Employment Verification Requirements

The bill would create a system for employers to electronically verify a worker's employment authorization and establish criminal penalties for employers and workers who operate outside the system. It would set up strong enforcement procedures. Employers would have to verify the employment authorization of all new workers either electronically or telephonically.

#### Earned Legalization for Undocumented Workers

Once the Secretary of DHS has made the required certification mentioned earlier, the STRIVE Act would authorize the initiation of a program providing conditional nonimmigrant status for undocumented immigrants (and their spouses and children) in the U.S. This would be the mechanism to allow undocumented workers to legalize their status. This status would be valid for six years. This would allow any aliens without proper documentation to regularize their status and remain in the U.S. and continue working.

This could eventually allow such aliens able to earn U.S. citizenship. But such workers would have to satisfy other additional requirements and would have to go to the back of the line for permanent visas; the current immigrant backlogs would have to be cleared before qualified conditional nonimmigrant visa applicants (and their families) could adjust to permanent resident status.

#### AgJOBS Bill Included in STRIVE

Title VI of the STRIVE Act includes the entire AgJOBS bill (H.R. 371), introduced by Congressmen Howard Berman (D-CA) and Chris Cannon (R-UT), in January. (Please see the AHC Web site at [www.horsecouncil.org](http://www.horsecouncil.org) for more information on AgJobs.)

#### Senate Action

Broad reform legislation similar to the STRIVE Act has not yet been introduced in the Senate. But the White House and various Senators are attempting to craft such legislation.