

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4092 OFFERED BY MR. FARENTHOLD

On page 2, line 20, strike “.” and insert a comma.

On page 2, after line 20, insert “except that in regard to labor or services consisting of meat or poultry processing, the term ‘agricultural labor or services’ only includes the killing of animals and the breakdown of their carcasses.”

On page 17, line 25, at the end insert “(other than in the case of workers who will perform agricultural labor or services consisting of meat or poultry processing)”.

On page 18, lines 7-11, strike the language and insert “imum wage; or”.

On page 18, line 14, strike “RULE.—An” and insert “RULES.— (i) ALTERNATE WAGE PAYMENT SYSTEMS.--An”.

On page 19, after line 2, insert:

“(ii) MEAT OR POULTRY PROCESSING.—Each employer petitioning for H-2C workers under this subsection who will perform agricultural labor or services consisting of meat or poultry processing will offer the H-2C workers, during the period of authorized employment as H-2C workers, wages that are at least the greatest of —

- (I) the applicable State or local minimum wage;
- (II) 115 percent of the Federal minimum wage;
- (III) the prevailing wage level for the occupational classification in the area of employment; or
- (IV) the actual wage level paid by the employer to all other individuals in the job.”

On page 39, lines 9-11, strike the language and insert: “cept that the base allocation under clause (ii) shall not fall below 410,000);”.

On page 45, before line 12, insert:

“Section 9. PREVAILING WAGE

Amend section 212(p)(1) and (3) of the Immigration and Nationality Act (8 U.S.C. 1182(p)(1) and (3)) by inserting “, and section 218A(k)(2)(B)(ii)” after “this section”.

On page 45, line 12, strike “(9)” and insert “(10)”.

On page 45, line 23, strike “tion 7” and insert “tions 7 and 9”.