AMENDMENT TO DIVISION F OF RULES

COMMITTEE PRINT 116–60

OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the division F (before the short title), insert the following:

SEC. ______. None of the funds made available by this Act may be used to implement the decision of the Board of Alien Labor Certification Appeals of the Department of Labor in Double J Harvesting, Inc., 2019–TLC–00057 (July 2, 2019) (finding that a farm labor contractor’s employees engaged in driving trucks containing crops both in the field and to the packing facility were not performing agricultural labor or services for purposes of section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a))), any subsequent judicial or administrative decision affirming the same or similar legal interpretation, any document promulgated by the Secretary of Labor consistent with the same or similar legal interpretation, such as the 2010 H–2A Final Rule Frequently Asked Questions, dated October 23, 2019, posted on the website of the Office of Foreign Labor Certification of the Employment and Training Administration of the Department of Labor, or any decision
to deny an application for a labor certification submitted under section 218 of the Immigration and Nationality Act (8 U.S.C. 1188) based on the same or similar legal interpretation, until the Secretary of Labor and the Secretary of Agriculture jointly submit a report to Congress on the results of a study assessing the economic and workforce impact of these decisions and interpretations.