

AMENDMENT TO H.R. 1603

OFFERED BY MR. THOMPSON OF PENNSYLVANIA

In section 101(c)(3)(B), after “section” insert “and annual employment verifications pursuant to section 102(a)(5)”.

In section 101(e), strike “575” and insert “800”.

In section 101(e), strike “100” and insert “140”.

In section 102(a)(3), strike “Certified agricultural” and insert “Subject to annual employment verification under paragraph (5), certified agricultural”.

In section 102(a), add at the end the following:

- 1 (5) ANNUAL EMPLOYMENT VERIFICATION.—
2 (A) IN GENERAL.—In accordance with the
3 process established under section 101(c)(3)(B),
4 upon approval of an application for or extension
5 of certified agricultural worker status, an appli-
6 cant granted such status shall annually there-
7 after provide proof of performance of at least
8 800 hours (or 140 work days) of agricultural
9 labor or services.

1 (B) NONCOMPLIANCE.—Failure to comply
2 with subparagraph (A) in more than one year
3 of the validity period of the certified agricul-
4 tural worker status shall result in the revoca-
5 tion of such status.

In section 103(a)(1)(A), strike “575” and insert
“800”.

In section 103(a)(1)(A), strike “100” and insert
“140”.

In section 111(a)(1)(A), strike “575” and insert
“800”.

In section 111(a)(1)(A), strike “100” and insert
“140”.

In section 126(c)(2), strike “575” and insert “800”.

In section 126(c)(2), strike “100” and insert “140”.

In section 218(d) of the Immigration and Nation-
ality Act, as proposed to be amended by section 202 of
the bill, strike paragraphs (1) through (4) and insert the
following:

6 “(1) IN GENERAL.—Each employer under this
7 section will offer the worker, during the period of

1 authorized employment, wages that are at least the
2 greatest of—

3 “(A) the applicable State or local minimum
4 wage;

5 “(B) 115 percent of the Federal minimum
6 wage; or

7 “(C) the actual wage level paid by the em-
8 ployer to all other individuals in the job.

9 “(2) ALTERNATIVE WAGE PAYMENT SYS-
10 TEMS.—An employer can utilize a piece rate or other
11 alternative wage payment system so long as the em-
12 ployer guarantees each worker a wage rate that
13 equals or exceeds the amount required under para-
14 graph (1) for the total hours worked in each pay pe-
15 riod. Compensation from a piece rate or other alter-
16 native wage payment system shall include time spent
17 during rest breaks, moving from job to job, clean up,
18 or any other nonproductive time, provided that such
19 time does not exceed 20 percent of the total hours
20 in the work day.”.

In section 218(d) of the Immigration and Nation-
ality Act, as proposed to be amended by section 202 of
the bill, strike the final paragraph.

In section 218(i)(1) of the Immigration and Nation-
ality Act, as proposed to be amended by section 202 of

the bill, strike “, consistent with the provisions of this subsection,”.

In section 218(i) of the Immigration and Nationality Act, as proposed to be amended by section 202 of the bill, strike paragraphs (2) and (3).

In section 204(b), strike paragraph (1).

In section 205(a), strike paragraphs (2) through (5).

In section 205(a), strike paragraph (9).

In section 302(b), add at the end the following:

1 (5) DELAYED IMPLEMENTATION.—The Sec-
2 retary of Homeland Security, in consultation with
3 the Secretary of Agriculture, may delay the effective
4 dates described in paragraphs (1) and (2) for a pe-
5 riod not to exceed 180 days if the Secretary deter-
6 mines, based on the most recent report described in
7 section 133 and other relevant data, that a signifi-
8 cant number of applications under section 101 re-
9 main pending.

