

118TH CONGRESS
2D SESSION

S. 3848

To direct the Secretary of Labor to freeze the existing adverse effect wage rate applicable to H-2A nonimmigrants through December 31, 2025.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Mr. TILLIS (for himself, Mr. BUDD, Mr. RICKETTS, Mr. MARSHALL, Mr. CORYN, Ms. LUMMIS, Mr. SCOTT of South Carolina, Mr. BARRASSO, Mr. BRAUN, Mr. GRAHAM, Mrs. HYDE-SMITH, Mr. WICKER, Mr. CRAPO, Mr. SCOTT of Florida, Mr. KENNEDY, Mr. MORAN, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To direct the Secretary of Labor to freeze the existing adverse effect wage rate applicable to H-2A nonimmigrants through December 31, 2025.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supporting Farm Op-
5 erations Act of 2024”.

1 **SEC. 2. CONTINUATION OF EXISTING ADVERSE EFFECT**
2 **WAGE RATE FOR H-2A NONIMMIGRANTS**
3 **THROUGH DECEMBER 31, 2025.**

4 The Secretary of Labor shall ensure that the adverse
5 effect wage rate required to be paid under section 655.120
6 of title 20, Code of Federal Regulations, to nonimmigrants
7 admitted under section 101(a)(15)(H)(ii)(a) of the Immi-
8 gration and Nationality Act (8 U.S.C.
9 1101(a)(15)(H)(ii)(a)) that was in effect in a State on De-
10 cember 31, 2023, remains the adverse effect wage rate for
11 such employees in that State through December 31, 2025.

12 **SEC. 3. CLARIFICATION OF JOB CLASSIFICATION.**

13 For the purposes of determining the wage required
14 to be paid under section 2, the Secretary of Labor shall
15 utilize a primary duties evaluation for such employees who
16 may be performing more than 1 duty or task.

