

S 2185

Temporary Agricultural Work Reform Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Mar 9, 2004

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Mar 9, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2185>

Sponsor

Name: Sen. Chambliss, Saxby [R-GA]

Party: Republican • **State:** GA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 10, 2004

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Temporary Agricultural Work Reform Act of 2004 - Amends the Immigration and Nationality Act to revise the H-2A (temporary agricultural worker) program.

Eliminates the labor certification process and instead requires employers seeking H-2A workers to provide attestations concerning: (1) wages and working conditions; (2) the nondisplacement of U.S. workers; (3) the lack of a strike or lockout; and (4) compliance with prior H-2A approvals. Establishes penalties for failing to meet, or misrepresentations concerning, attestations.

Replaces the adverse effect wage rate with a prevailing wage rate. Requires employers of H-2A workers to: (1) pay the greater of the prevailing wage or the applicable State minimum wage; (2) offer to provide housing or a housing allowance; (3) reimburse costs of initial transportation to the place of employment and provide transportation to the work site; and (4) guarantee employment for a specified period of time.

Requires the Secretary of Homeland Security to establish a procedure for the expedited adjudication of H-2A petitions.

Renders inadmissible and ineligible for H-2A status those aliens who previously violated the terms of their admission. Provides a one-time waiver for those who are outside the United States.

Amends the Immigration Reform and Control Act of 1986 to prohibit the Legal Services Corporation from: (1) providing legal assistance to aliens unless those aliens are present in the United States as H-2A workers; and (2) bringing a civil action on behalf of H-2A workers unless the Federal Mediation and Conciliation Service has attempted to mediate the dispute.

Actions Timeline

- **Mar 9, 2004:** Introduced in Senate
- **Mar 9, 2004:** Sponsor introductory remarks on measure. (CR S2445-2446)
- **Mar 9, 2004:** Read twice and referred to the Committee on the Judiciary.