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**For Immediate Release**

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**NCAE Petitions Acting Secretary Su to Change Wage Methodology**

(Arlington, VA) The National Council of Agricultural Employers (NCAE) today petitioned Acting Department of Labor Secretary Julie Su to amend the regulatory methodology for determining adverse effect wage rates in the H-2A Temporary Agricultural Worker Program.

“America’s farm and ranch families and American consumers continue to bear the brunt of the Department of Labor’s (DOL) misuse of the U.S. Department of Agriculture’s Farm Labor Survey (FLS) and other nonfarm wage rates in establishing mandatory minimum wage rates in the H-2A program,” noted Michael Marsh, President and CEO of NCAE. “The willful failure of the Department in carrying out its mandate from the Immigration and Nationality Act (INA) of determining no adverse effect on the domestic workforce due to the employment of H-2A Temporary Workers must come to an immediate halt. American agriculture’s foreign competition has been the beneficiary of the DOL’s malign neglect of its responsibility, and this neglect jeopardizes U.S. national security.”

Today more than 60% of the fresh fruit consumed in the United States and greater than 40% of the fresh vegetables consumed are produced by America’s competitors. U.S. farm and ranch families are at a tipping point in sustaining their legacy family farming and ranching operations

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and the DOL's misuse of data for purposes for which it was never intended, will ensure that for some, their family legacy will end with this generation.

"The Department must change course," said Marsh. "American consumers deserve food produced ethically and sustainably in the United States and American farm and ranch families deserve the opportunity to compete in the American market. Acting Secretary Su must act quickly to grant this petition and hear the economic arguments against the Department's continued misuse of data that is creating a calamity in rural America. The economic arguments are crystal clear that there exists no adverse effect on the domestic workforce due to the employment of H-2A workers and consequently, the mandate of a wage rate by the Department is a solution in search of a problem."

NCAE is the national trade association focusing on agricultural labor issues from the employer's viewpoint.

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