

HR 5038

Farm Workforce Modernization Act of 2019

Congress: 116 (2019–2021, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Nov 12, 2019

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

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Dec 12, 2019)

Official Text: <https://www.congress.gov/bill/116th-congress/house-bill/5038>

Sponsor

Name: Rep. Lofgren, Zoe [D-CA-19]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (62 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Amodei, Mark E. [R-NV-2]	R · NV		Nov 12, 2019
Rep. Baird, James R. [R-IN-4]	R · IN		Nov 12, 2019
Rep. Brindisi, Anthony [D-NY-22]	D · NY		Nov 12, 2019
Rep. Brooks, Susan W. [R-IN-5]	R · IN		Nov 12, 2019
Rep. Carbajal, Salud O. [D-CA-24]	D · CA		Nov 12, 2019
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Nov 12, 2019
Rep. Chu, Judy [D-CA-27]	D · CA		Nov 12, 2019
Rep. Cole, Tom [R-OK-4]	R · OK		Nov 12, 2019
Rep. Correa, J. Luis [D-CA-46]	D · CA		Nov 12, 2019
Rep. Costa, Jim [D-CA-16]	D · CA		Nov 12, 2019
Rep. Cox, TJ [D-CA-21]	D · CA		Nov 12, 2019
Rep. Craig, Angie [D-MN-2]	D · MN		Nov 12, 2019
Rep. Crow, Jason [D-CO-6]	D · CO		Nov 12, 2019
Rep. Curtis, John R. [R-UT-3]	R · UT		Nov 12, 2019
Rep. Davis, Rodney [R-IL-13]	R · IL		Nov 12, 2019
Rep. Diaz-Balart, Mario [R-FL-25]	R · FL		Nov 12, 2019
Rep. Fitzpatrick, Brian K. [R-PA-1]	R · PA		Nov 12, 2019
Rep. Fudge, Marcia L. [D-OH-11]	D · OH		Nov 12, 2019
Rep. Garcia, Sylvia R. [D-TX-29]	D · TX		Nov 12, 2019
Rep. Gibbs, Bob [R-OH-7]	R · OH		Nov 12, 2019
Rep. Harder, Josh [D-CA-10]	D · CA		Nov 12, 2019
Rep. LaMalfa, Doug [R-CA-1]	R · CA		Nov 12, 2019
Rep. Lawson, Al, Jr. [D-FL-5]	D · FL		Nov 12, 2019
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Nov 12, 2019
Rep. Mitchell, Paul [R-MI-10]	R · MI		Nov 12, 2019
Rep. Nadler, Jerrold [D-NY-10]	D · NY		Nov 12, 2019
Rep. Newhouse, Dan [R-WA-4]	R · WA		Nov 12, 2019
Rep. Nunes, Devin [R-CA-22]	R · CA		Nov 12, 2019
Rep. Panetta, Jimmy [D-CA-20]	D · CA		Nov 12, 2019
Rep. Peters, Scott H. [D-CA-52]	D · CA		Nov 12, 2019
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Nov 12, 2019
Rep. Reed, Tom [R-NY-23]	R · NY		Nov 12, 2019
Rep. Sánchez, Linda T. [D-CA-38]	D · CA		Nov 12, 2019
Rep. Schrader, Kurt [D-OR-5]	D · OR		Nov 12, 2019
Rep. Schrier, Kim [D-WA-8]	D · WA		Nov 12, 2019
Rep. Scott, David [D-GA-13]	D · GA		Nov 12, 2019
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Nov 12, 2019
Rep. Slotkin, Elissa [D-MI-8]	D · MI		Nov 12, 2019
Rep. Smucker, Lloyd [R-PA-11]	R · PA		Nov 12, 2019
Rep. Spanberger, Abigail Davis [D-VA-7]	D · VA		Nov 12, 2019
Rep. Stefanik, Elise M. [R-NY-21]	R · NY		Nov 12, 2019

Cosponsor	Party / State	Role	Date Joined
Rep. Stivers, Steve [R-OH-15]	R · OH		Nov 12, 2019
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Nov 12, 2019
Rep. Torres Small, Xochitl [D-NM-2]	D · NM		Nov 12, 2019
Rep. Torres, Norma J. [D-CA-35]	D · CA		Nov 12, 2019
Rep. Upton, Fred [R-MI-6]	R · MI		Nov 12, 2019
Rep. Vela, Filemon [D-TX-34]	D · TX		Nov 12, 2019
Rep. Walden, Greg [R-OR-2]	R · OR		Nov 12, 2019
Rep. Young, Don [R-AK-At Large]	R · AK		Nov 12, 2019
Rep. Garamendi, John [D-CA-3]	D · CA		Nov 21, 2019
Rep. Stewart, Chris [R-UT-2]	R · UT		Nov 21, 2019
Rep. King, Peter T. [R-NY-2]	R · NY		Dec 3, 2019
Rep. Suozzi, Thomas R. [D-NY-3]	D · NY		Dec 3, 2019
Rep. Bass, Karen [D-CA-37]	D · CA		Dec 9, 2019
Rep. Cuellar, Henry [D-TX-28]	D · TX		Dec 9, 2019
Rep. Delgado, Antonio [D-NY-19]	D · NY		Dec 9, 2019
Rep. Escobar, Veronica [D-TX-16]	D · TX		Dec 9, 2019
Rep. Kind, Ron [D-WI-3]	D · WI		Dec 9, 2019
Rep. O'Halleran, Tom [D-AZ-1]	D · AZ		Dec 9, 2019
Rep. Pingree, Chellie [D-ME-1]	D · ME		Dec 9, 2019
Rep. Ruiz, Raul [D-CA-36]	D · CA		Dec 9, 2019
Rep. Thompson, Mike [D-CA-5]	D · CA		Dec 9, 2019

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Discharged From	Dec 9, 2019
Financial Services Committee	House	Discharged From	Dec 9, 2019
Judiciary Committee	House	Discharged from	Nov 19, 2019
Judiciary Committee	Senate	Referred To	Dec 12, 2019
Ways and Means Committee	House	Discharged From	Dec 9, 2019

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
116 HRES 758	Related bill	Dec 11, 2019: Mr. Nadler moved to table the motion to reconsider
116 HR 4916	Related bill	Nov 15, 2019: Referred to the Subcommittee on Immigration and Citizenship.
116 HR 3620	Related bill	Sep 11, 2019: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
116 HR 1310	Related bill	Feb 19, 2019: Referred to the House Committee on Financial Services.

Farm Workforce Modernization Act of 2019

This bill contains provisions related to alien farmworkers, including provisions establishing a certified agricultural worker (CAW) status and changing the H-2A temporary worker program.

The Department of Homeland Security (DHS) may grant CAW status to an applying alien who (1) performed at least 1,035 hours of agricultural labor during the two-year period prior to November 12, 2019, (2) on that date was inadmissible, deportable, or under a grant of deferred enforced departure or temporary protected status, and (3) has been continuously present in the United States from that date until receiving CAW status. The bill imposes additional crime-related inadmissibility grounds on CAW applicants and makes some other grounds inapplicable.

CAW status shall be valid for 5.5 years and may be extended. DHS may grant dependent status to the spouse or children of a principal alien.

An alien with a pending application may not be detained or removed by DHS and shall be authorized for employment until DHS makes a final decision on the application.

A CAW alien (and dependents) may apply for lawful permanent resident status after meeting various requirements, including performing a certain amount of agricultural labor for a number of years.

DHS shall create an electronic platform for (1) filing H-2A petitions, (2) facilitating the processing of H-2A cases, and (3) providing agencies a single tool for obtaining H-2A-related case information.

The bill makes various changes to the H-2A program, such as (1) modifying the method for calculating and making adjustments to the H-2A worker minimum wage, (2) specifying how an employer may satisfy requirements that it attempted to recruit U.S. workers, (3) requiring H-2A employers to guarantee certain minimum work hours, and (4) making the program available for year-round agricultural work and reserving a visa allocation for the dairy industry.

DHS shall establish a pilot program allowing certain H-2A workers to apply for portable status, which gives the worker 60 days after leaving a position to secure new employment with a registered H-2A employer.

DHS shall establish an electronic system patterned on the E-Verify Program for employers to verify an individual's identity and employment authorization. Employers hiring individuals for agricultural employment must use the system.

This bill permanently establishes the Housing Preservation and Revitalization Program, which provides financing assistance for rural rental housing and off-farm labor housing and rental assistance for qualified tenants of such housing. It also authorizes the Department of Agriculture to provide various assistance, including funding for insuring loans and grants for new farmworker housing.

Actions Timeline

- **Dec 12, 2019:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Dec 11, 2019:** Considered under the provisions of rule H. Res. 758. (consideration: CR H10044-10082)
- **Dec 11, 2019:** The rule provides for consideration of H.R. 3, under a structured rule, with 4 hours of general debate. The rule provides for consideration of H.R. 5038 under a closed rule, with 1 hour of general debate. The rule provides for consideration of the conference report to accompany S. 1790 with 1 hour of debate.
- **Dec 11, 2019:** DEBATE - The House proceeded with one hour of debate on H.R. 5038.
- **Dec 11, 2019:** The previous question was ordered pursuant to the rule.
- **Dec 11, 2019:** POSTPONED PROCEEDINGS - Pursuant to clause 1(c) of rule XIX, the Chair postponed further proceedings on H.R. 5038.
- **Dec 11, 2019:** Considered as unfinished business. (consideration: CR H10093-10096)
- **Dec 11, 2019:** Mr. Biggs moved to recommit with instructions to the Committee on the Judiciary. (text: CR H10093)
- **Dec 11, 2019:** DEBATE - The House proceeded with 10 minutes of debate on the Biggs motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to strike sections 204(a) and (b) from the bill.
- **Dec 11, 2019:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Dec 11, 2019:** On motion to recommit with instructions Failed by recorded vote: 193 - 230 (Roll no. 673).
- **Dec 11, 2019:** Passed/agreed to in House: On passage Passed by recorded vote: 260 - 165, 1 Present (Roll no. 674). (text: CR H10045-10066)
- **Dec 11, 2019:** On passage Passed by recorded vote: 260 - 165, 1 Present (Roll no. 674). (text: CR H10045-10066)
- **Dec 11, 2019:** Motion to reconsider laid on the table. Objection was heard.
- **Dec 11, 2019:** Ms. Lofgren moved to reconsider the vote.
- **Dec 11, 2019:** Mr. McGovern moved to table the motion to reconsider
- **Dec 10, 2019:** Rules Committee Resolution H. Res. 758 Reported to House. The rule provides for consideration of H.R. 3, under a structured rule, with 4 hours of general debate. The rule provides for consideration of H.R. 5038 under a closed rule, with 1 hour of general debate. The rule provides for consideration of the conference report to accompany S. 1790 with 1 hour of debate.
- **Dec 9, 2019:** Reported (Amended) by the Committee on Judiciary. H. Rept. 116-328, Part I.
- **Dec 9, 2019:** Committee on Ways and Means discharged.
- **Dec 9, 2019:** Committee on Education and Labor discharged.
- **Dec 9, 2019:** Committee on Financial Services discharged.
- **Dec 9, 2019:** Placed on the Union Calendar, Calendar No. 263.
- **Nov 21, 2019:** Committee Consideration and Mark-up Session Held.
- **Nov 21, 2019:** Ordered to be Reported (Amended).
- **Nov 19, 2019:** Subcommittee on Immigration and Citizenship Discharged.
- **Nov 13, 2019:** Referred to the Subcommittee on Immigration and Citizenship.
- **Nov 12, 2019:** Introduced in House
- **Nov 12, 2019:** Referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Education and Labor, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.