

HR 1037

BARN Act

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Feb 15, 2021

Current Status: Referred to the Subcommittee on Immigration and Citizenship.

Latest Action: Referred to the Subcommittee on Immigration and Citizenship. (Apr 28, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/1037>

Sponsor

Name: Rep. Allen, Rick W. [R-GA-12]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Apr 28, 2021

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Better Agriculture Resources Now Act or the BARN Act

This bill revises the H-2A visa program for temporary agricultural workers, moves administration of the program from the Department of Labor to the Department of Agriculture, and addresses other immigration issues.

The bill eliminates a statutory provision calling for the 50% rule, which requires an H-2A employer to hire any qualified U.S. applicants until half of the time period on an H-2A worker's contract has elapsed.

The bill also revises requirements for employer-provided housing or housing allowances for H-2A workers, including standards for such accommodations. The employer shall request an inspection to certify that the housing meets the required standards.

An employer shall not be required to pay an H-2A worker more than 115% of the federal or applicable state minimum wage, whichever is higher.

Aliens admitted as H-2A workers who overstay their visas are barred from the program for five years. Aliens admitted on the basis of fraud or who commit certain crimes are barred permanently. Employers who knowingly hire H-2A workers who overstay their visas or employers who engage in fraud or misrepresentation shall be barred from the program.

The bill also prohibits the Legal Services Corporation (LSC) from providing legal assistance for an alien unless (1) the alien is present in the United States when the assistance is provided, and (2) the parties have attempted to mediate the dispute in good faith. An H-2A employer is not required to allow an entity receiving LSC funding to enter the employer's property without an appointment with a specific H-2A worker.

Actions Timeline

- **Apr 28, 2021:** Referred to the Subcommittee on Immigration and Citizenship.
- **Feb 15, 2021:** Introduced in House
- **Feb 15, 2021:** Referred to the House Committee on the Judiciary.

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