

## HR 1537

To amend the Immigration and Nationality Act to provide for terms and conditions for nonimmigrant workers performing agricultural labor or services, and for other purposes.

**Congress:** 117 (2021–2023, Ended)

**Chamber:** House

**Policy Area:** Immigration

**Introduced:** Mar 3, 2021

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

**Latest Action:** Referred to the Subcommittee on Immigration and Citizenship. (May 18, 2021)

**Official Text:** <https://www.congress.gov/bill/117th-congress/house-bill/1537>

### Sponsor

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

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

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Costa, Jim [D-CA-16]	D · CA		Mar 3, 2021
Rep. Newhouse, Dan [R-WA-4]	R · WA		Mar 3, 2021
Rep. Panetta, Jimmy [D-CA-20]	D · CA		Mar 3, 2021

### Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Mar 3, 2021
Financial Services Committee	House	Referred To	Mar 3, 2021
Judiciary Committee	House	Referred to	May 18, 2021
Ways and Means Committee	House	Referred To	Mar 3, 2021

### Subjects & Policy Tags

#### Policy Area:

Immigration

### Related Bills

Bill	Relationship	Last Action
117 S 4872	Related bill	<b>Sep 20, 2022:</b> Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development. Hearings held.
117 HR 1603	Identical bill	<b>Mar 22, 2021:</b> Received in the Senate and Read twice and referred to the Committee on the Judiciary.
117 HR 1882	Related bill	<b>Mar 12, 2021:</b> Referred to the House Committee on Financial Services.
117 HR 1728	Related bill	<b>Mar 10, 2021:</b> Referred to the House Committee on Financial Services.

## Farm Workforce Modernization Act of 2021

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 March 3, 2021; (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, (4) making the program available for agricultural work that is not temporary or seasonal, and (5) 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.

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## Actions Timeline

- **May 18, 2021:** Referred to the Subcommittee on Immigration and Citizenship.
- **Mar 3, 2021:** Introduced in House
- **Mar 3, 2021:** 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.