



Policy Summary: Securing Agriculture's Workforce Act of 2026

On June 30, 2026, Representative GT Thompson (R-PA) introduced [H.R. 9535](#), the Securing Agriculture's Workforce Act of 2026 ("SAWA"). The bill, which purportedly modernizes the process for admitting temporary foreign agricultural workers ("H-2A workers"), does not address the structural challenges facing our agricultural workforce. It transforms a program designed to be a last resort for employers who are unable to fill temporary or seasonal jobs into a primary source of labor. As a result, the bill reduces job opportunities for U.S. workers, weakens protections, and lowers wages for farmworkers across the board.

SAWA hurts U.S. and foreign workers by:

- **Reducing job opportunities for U.S. workers.** Currently, H-2A employers must accept U.S. job applicants through the first half of the H-2A contract. SAWA would eliminate this rule, and would weaken requirements that employers make positive recruitment efforts to offer jobs to U.S. workers before hiring H-2A workers. The bill would also make it easier for employers to create specific job qualifications that exclude U.S. workers to the benefit of H-2A workers.
- **Lowering farmworker wages.** H-2A employers are required to pay a minimum hourly wage to H-2A workers called the Adverse Effect Wage Rate (AEWR), which is designed to encourage employers to hire domestic workers, thereby ensuring that U.S. agricultural workers are not undercut by foreign competition. SAWA would codify a 2025 Department of Labor rule on the AEWR that severely cut wages to the tune of \$3–7 an hour, ultimately [transferring over \\$4 billion in farmworker wages](#) to employers *per year*. Similar to the AEWR rule, SAWA would also allow employers to take a daily housing deduction from worker wages, even though the H-2A program requires that worker housing be provided free of charge. Despite worker housing being held to much lower standards, the deduction is calculated from average rental costs for housing units built to a much higher federal standard. See FJ's [fact sheet on the 2025 AEWR rule](#).
- **Eliminating a worker's right to receive minimum wage increases during their contract.** Workers under an H-2A contract are guaranteed to receive, at minimum, the highest of the AEWR, prevailing wage rate, agreed-upon collective bargaining wage, or federal or state minimum wage. Currently, if any of those wage rates are increased during the contract, the worker is entitled to the new highest wage. Under SAWA, however, employers would not be obliged to pay any wage higher than the wage listed in the contract. This means that, if an

applicable minimum wage changes between when the worker signs the contract and starts the job, the worker could be paid less than that for the entire length of the contract.

- **Reducing the number of guaranteed hours in a contract.** Currently, H-2A job openings must offer at least 35 hours per week, and guarantee that the worker will have the opportunity to work at least three-fourths of all the hours promised in their contract. SAWA, however, would only require employers to guarantee one hour of work for every 30-day period.
- **Requiring insufficient heat plans.** SAWA would require H-2A employers to develop their own heat illness prevention plans that meet [applicable state and federal standards](#). However, the employer plans would not be evaluated for efficacy by any agency and there is no penalty for noncompliance.
- **Failing to provide a path to permanent legal status.** The bill would create a “visa waiver” program wherein undocumented farmworkers can apply for an H-2A visa if they have either (a) left the U.S., or (b) spent a certain amount of time working as a farmworker. **It would not include a path to permanent legal status, nor would it allow for family members to adjust their immigration status or gain employment authorization.**
- **Reducing the grace period for leaving the country.** If an H-2A worker has their visa denied or withdrawn, SAWA would require the worker to depart the U.S. within 30 days, unless they gain H-2A employment before then. This is shorter than the 60-day grace period currently in place.
- **Changing jobs from “temporary and seasonal” to only “temporary.”** H-2A jobs were meant to supply a labor force for nonpermanent jobs. SAWA would eliminate the “seasonal” requirement and expand “temporary” jobs to those that last up to 350 days a year. This would transform the H-2A program by allowing for the inclusion of year-round industries, such as dairy.
- **Redefining “agricultural labor and services.”** Jobs that have traditionally been considered non-agricultural would be eligible for the H-2A program, including: aquaculture, management and training of horses, and harvest and processing of meat and poultry. This would reduce job opportunities for U.S. workers and funnel more people into precarious H-2A employment.

SAWA is Bad for the U.S. Agricultural System and Its Workers

SAWA is a short-term solution that does not address the long-term needs for a stable U.S. food system. It hurts U.S. and H-2A workers. By expanding access to the H-2A program, SAWA would create a slippery slope for the expanded use of temporary workers in other industries, including landscaping and construction. A stable U.S. food system requires solutions that support farmers and farmworkers. American agriculture deserves better.

Published July 9, 2026