Migration that Works

July 23, 2026

The Honorable Chuck Grassley
Chair
Senate Judiciary Committee
United States Senate
Washington, DC 20510

The Honorable Dick Durbin
Ranking Member
Senate Judiciary Committee
United States Senate
Washington, DC 20510

The Honorable Jim Jordan
Chair
House Judiciary Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable Jamie Raskin
Ranking Member
House Judiciary Committee
U.S. House of Representatives
Washington, DC 20515

Dear Members of Congress,

We, the Migration that Works coalition, write to express serious concerns regarding H.R. 9535 Securing Agriculture's Workforce Act ("SAWA") of 2026 because it would adversely impact migrant and U.S.-based workers. If passed, this bill would open up the seasonal H-2A visa program to permanent year-round industry, contrary to the intent of the program, and enable corporations and low-road employers to make use of the H-2A visa program to drive down wages and working conditions for all workers in impacted industries.

SAWA would:

- Expand the flawed and exploitative H-2A visa program[1] by allowing year-round industries, such as aquaculture, equine, and meat processing, to apply for H-2A labor certifications.
- Codify changes to the Adverse Effect Wage Rate— implemented by an Interim Final Rule issued by the U.S. Department of Labor in November 2025—that cut farmworker wages by $4.4 to $5.4 billion annually.
- Weaken safeguards under H-2A program regulations that protect U.S. workers, displacing local farmworkers.
- Create a "visa waiver" program purportedly aimed at allowing some undocumented workers to apply for an H-2A visa, but with no meaningful pathway to citizenship for them

[1] Migration that Works chair Centro de los Derechos del Migrante published a groundbreaking report on the H-2A program's structural flaws and their impact on workers. *See* Centro de los Derechos del Migrante, *Ripe for Reform: Abuse of Agricultural Workers in the H-2A Visa Program* (2020), https://cdmigrante.org/wp-content/uploads/2020/04/Ripe-for-Reform.pdf.

or their families. This would move immigrant workers from one vulnerable state to another. Because H-2A workers' ability to remain in the U.S. depends on their employers, this option does not provide any meaningful security for workers without immigration status.

The central flaw of the H-2 visa programs—employer control— exposes migrant workers to a high risk of exploitation and abuse. From the moment they are recruited, many prospective H-2 workers face discrimination, excessive recruitment fees, and economic coercion. Because H-2 visas are tied to their employer, workers are often forced to choose between remaining in abusive workplaces or returning home with significant debt and no income. This imbalanced power structure enables low-road employers to commit wage theft, debt bondage, trafficking, and other serious labor abuses. These harms affect migrant and U.S. workers. When employers exploit the H-2 program flaws to offer low wages, substandard housing, or unsafe working conditions, they drive down labor standards across entire industries.

H.R. 9535 would make it easier for low-road employers to displace U.S. workers and drive down wages and working conditions for all farmworkers. It would also expand the flawed H-2A program by eliminating the requirement for "seasonal" work and widening the definition of "temporary" work. Specifically, workers in aquaculture, equine, and meatpacking industries will see their wages and working conditions deteriorate.

An ethical labor migration system must protect migrant and U.S. workers by ensuring fair wages and safe working conditions. For these reasons, we urge Congress to reject H.R. 9535.

Sincerely,

Migration that Works