

Securing Agriculture's Workforce Act (SAWA)

H.R. 9535



The Securing Agriculture's Workforce Act (SAWA) is a bipartisan bill introduced by House Agriculture Committee Chairman Glenn "GT" Thompson to modernize federal agricultural workforce policy for the first time in nearly 40 years. The bill is designed to make the program easier to use, more affordable, and available to more types of agricultural employers while maintaining protections for workers.

Major Reforms Included in SAWA

Expands H-2A Ag Worker Visa Program to Year-Round Agricultural Operations and New Users - current law generally limits H-2A to seasonal agriculture.

SAWA allows year-round agricultural employers to use the program, and would now include:

- Dairy
- Livestock
- Poultry
- Nurseries
- Greenhouses
- Forestry
- Aquaculture
- Certain meat and poultry processing directly tied to agricultural production

Stabilizes the Existing Agricultural Workforce - Many experienced agricultural employees are already working on California farms but do not currently have a long-term legal status.

SAWA allows workers to obtain legal status while continuing to work. Eligible workers are not required to leave the United States ("touch back") before participating in the program. This helps farms retain experienced employees while providing workers with greater certainty about their future.

Modernizes the Wage Formula (AEWR) - The bill reforms how the Adverse Effect Wage Rate (AEWR) is calculated. Rather than relying on an outdated wage survey, SAWA uses modernized methodology and places limits on sudden wage increases. This provides farmers with greater certainty while continuing to protect worker wages.

Portable H-2A Visas - Under current law, workers generally can only work for the employer that petitioned for them. SAWA creates a portable H-2A visa, allowing workers to transfer to another approved agricultural employer under certain conditions.

This helps:

- workers remain legally employed
- employers fill unexpected labor shortages
- reduces disruptions during the season
- greater workforce flexibility

The bill gives employers additional flexibility by allowing: staggered worker arrival dates, allowing workers to remain employed longer, allows easier reentry for returning workers, and fewer unnecessary departures and reapplications. These changes better match today's agricultural production schedules.

Responding to Common Questions About SAWA

“Does SAWA create ‘amnesty’ for undocumented workers?”

Response: No. SAWA allows experienced agricultural employees already working in U.S. to participate in the H-2A program, providing workforce flexibility and allowing them to have legal work status.

California Farm Bureau supports a rigorous process that allows eligible farmworkers to earn legal status while continuing to help produce America's food supply. Referring to this program as "amnesty" overlooks the fact that these workers have often worked alongside farmers and ranchers for years—and in many cases, decades.

“Will SAWA take jobs away from American workers?”

Response: No. Federal law already requires employers participating in the H-2A program to **recruit U.S. workers before they can hire H-2A employees**. Employers must advertise available jobs, work through state workforce agencies, and offer those positions to any qualified domestic applicant. H-2A workers may only be hired if there are not enough available U.S. workers to fill those jobs.

In 2025, agricultural employers requested nearly 400,000 H-2A workers nationwide. As part of the required recruitment process, employers advertised those positions to U.S. workers. **Fewer than 200 U.S. workers applied for the advertised jobs.**

These numbers demonstrate that H-2A fills workforce shortages where domestic workers are unavailable—it does not displace American workers. SAWA expands access to a legal workforce only after employers have met existing federal recruitment requirements.

Key Talking Points

- Modernizes the H-2A program for the first time in nearly 40 years.
- Expands eligibility to year-round agriculture, including dairy and livestock, allowing more California producers to participate.
- Creates one online application system to reduce paperwork.
- Allows multi-year labor certifications.
- Creates portable H-2A visas to improve workforce flexibility.
- Makes labor costs more predictable by reforming the AEWR.
- Helps farmers keep producing food in the United States while maintaining strong worker protections.