

119TH CONGRESS
2^D SESSION

H. R. 7541

To protect United States workers by creating annual restrictions on the H-2A temporary worker program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2026

Ms. JAYAPAL (for herself, Ms. PELOSI, Mr. GARCÍA of Illinois, Mr. CASTRO of Texas, Mr. CASAR, Ms. CHU, Ms. SIMON, Mr. THANEDAR, and Mr. DOGGETT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To protect United States workers by creating annual restrictions on the H-2A temporary worker program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “U.S. Farmworker Pro-
5 tection Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the H-2A program, as created by section
9 218 of the Immigration and Nationality Act (8

1 U.S.C. 1188), has experienced unprecedented growth
2 in recent years;

3 (2) with the H-2A program having 384,865
4 certified jobs in fiscal year 2024, an increase of 40
5 percent compared to fiscal year 2020 (when there
6 were 275,430 certified jobs), an increase of 71 per-
7 cent compared to fiscal year 2017 (when there were
8 224,965 certified jobs), and an almost 5-time in-
9 crease compared to fiscal year 2008 (when there
10 were 82,099 certified jobs); and

11 (3) the unlimited growth of the H-2A program
12 threatens to displace United States farmworkers and
13 depress the wages and working conditions of United
14 States farmworkers, including those who harvest
15 crops, drive trucks, and operate equipment.

16 **SEC. 3. CREATING ANNUAL RESTRICTIONS ON THE H-2A**
17 **PROGRAM.**

18 (a) ANNUAL RESTRICTION ESTABLISHED.—Section
19 218(a) of the Immigration and Nationality Act (8 U.S.C.
20 1188(a)) is amended by adding at the end the following:

21 “(3) The Secretary of Labor may not certify
22 petitions covering more than 400,000 positions for a
23 fiscal year. For purposes of this paragraph, any po-
24 sition that the petitioner, in the petition, specifies
25 will be filled by a worker who is represented by a

1 bargaining representative shall not be counted to-
2 wards the limit under this paragraph.”.

3 (b) DEFINITION OF “BARGAINING REPRESENTA-
4 TIVE”.—Section 218(i) of the Immigration and Nation-
5 ality Act (8 U.S.C. 1188(i)) is amended by adding at the
6 end the following:

7 “(3) The term ‘bargaining representative’
8 means a labor organization (as such term is defined
9 in section 2 of the National Labor Relations Act (29
10 U.S.C. 152)) that—

11 “(A) represents agricultural employees in
12 their employment relations with agricultural
13 employers; and

14 “(B) has filed an LM–2, LM–3, or LM–4
15 form (or any successor form) with the Secretary
16 of Labor and has a collective bargaining agree-
17 ment covering agricultural employees.”.

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