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119TH CONGRESS
2D 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

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''U.S. Farmworker Protection Act''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

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

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

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

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

SEC. 3. CREATING ANNUAL RESTRICTIONS ON THE H–2A PROGRAM.

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

''(3) The Secretary of Labor may not certify petitions covering more than 400,000 positions for a fiscal year. For purposes of this paragraph, any position that the petitioner, in the petition, specifies will be filled by a worker who is represented by a

bargaining representative shall not be counted towards the limit under this paragraph.''.

(b) DEFINITION OF ''BARGAINING REPRESENTATIVE''.—Section 218(i) of the Immigration and Nationality Act (8 U.S.C. 1188(i)) is amended by adding at the end the following:

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

''(A) represents agricultural employees in their employment relations with agricultural employers; and

''(B) has filed an LM–2, LM–3, or LM–4 form (or any successor form) with the Secretary of Labor and has a collective bargaining agreement covering agricultural employees.''.

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