

NEBRASKA TAXPAYERS FOR FREEDOM ISSUE PAPER:

THE SECURING AGRICULTURE'S WORKFORCE ACT IS BACKDOOR AMNESTY.

BACKGROUND. Illegal alien proponents in the Republican and Democrat Parties are taking advantage of a labor shortage in American agriculture to sneak through legislation that would give amnesty to illegal aliens working here in agricultural and ag-related jobs. They are revising the H-2A program, the legal channel for foreign farm workers, so that not only can these laborers have more secure employment but also win a shortcut to citizenship and voting.

THE BILL. Cong. Glenn Thompson (Rep.-PA) introduced **HR 9535**, the Securing Agriculture's Workforce Act of 2026. His bill would attempt to streamline the H-2A visa process for ag and ag-related industries to attract additional foreign workers. The proposed scope of the bill would apply to all labor that includes the handling, planting, drying, packing, packaging, processing, freezing, or grading of an agricultural or horticultural commodity in its unmanufactured state, also the loading and transportation of such products. Illegal aliens could apply for and gain H-2A status if working for a period of time up to 3 yrs. and shield their employers from penalties for hiring illegals. The aliens must undergo a background check, which is virtually impossible, because their criminal records from foreign nations are not readily available. The bill permits border staggered entry and exit dates for H-2A workers, a security burden, and allows them to transfer to another qualifying agricultural employer before final approval of a new petition to work. The legislation creates a streamlined online means for processing H-2A applications across multiple federal agencies. The bill currently is in the House Judiciary Committee, awaiting a vote to advance it to the full House for debate.

THE TRICK. Critics found a waiver that effectively grants amnesty to illegal aliens present in the U.S. as of May 31, 2026, who can show they worked in farm labor 5.75 hours a day, 180 days a year, for 2 years. This trick amounts to a legalization program for illegal alien farm workers already inside the country. This same self-attestation model appeared in the 1986 "Special Agricultural Worker" amnesty, which required only 90 days of farm work. An estimated 400,000 workers then eligible; it drew almost 1.3 million applications, with 750,000 eventually legalized workers likely never having done the qualifying work. It was one of the most extensive immigration frauds ever perpetrated against the U.S. government. If someone qualifies under the proposed bill, employers then required



to provide Dept. of Labor-inspected housing with wage deductions capped by an HUD-linked formula. The only oversight would review housing but not fraud.¹ A de facto amnesty here means people who broke the law now effectively allowed to stay or avoid punishment, even though the government has not officially declared an amnesty. The most controversial section would allow illegal aliens already living in the U.S. to obtain H-2A agricultural worker status by waiving multiple grounds of inadmissibility and deportability. Specifically, the bill provides waivers for specific immigration and criminal violations committed before aliens receive H-2A status, provided they otherwise qualify. The legislation also protects employers from specific civil and criminal liability related to previously employing illegal alien workers, if those workers apply for H-2A status under the bill.² The legislation also would cap wage increases for all these illegal aliens at

3.25% annually while not allowing a reduction of more than 1.5% annually. This cap called an Adverse Effect Wage Rate (AEWA), even though labor market data shows the market price for farm workers is rising much faster. The reason for this cap is that, like in any free market, farm labor wages set by the lowest-cost option. Therefore, if foreign workers are only able to receive a 3.25% yearly wage increase, then American farm workers will receive no better. Critics argue that the bill would protect multimillion- and multibillion-dollar agricultural corporations, including the farming and meat packing industries.³ This legislation squarely aimed at advancing and protecting the profits of multimillion- and billion-dollar corporations of the agricultural sector in exchange for generous campaign contributions to congressmen convinced to support **HR 9535**. Bill sponsor Thompson, chairman of the House Committee on Agriculture, received over \$550,000 from agribusiness PACs between 2025 and 2026. The bill sponsored in return for tens of thousands of dollars in donations from ag employer organizations. Thousands of illegal aliens would apply for this largesse. In 2025, over 400,000 illegal aliens applied for H-2A visas, and 398,258

¹ Blaze Media, Zoe Jung, The bipartisan farm bill that also grows amnesty, July 20, 2026.

² Jim Hoft, Gateway Pundit, Nearly 50 House Republicans Push Bill That Grants "DE FACTO AMNESTY" to Illegal Alien Farm Workers Present in the U.S. as of May 31, 2026, July 20, 2026.

³ Evelyn Elliott, AOL, Trump Promises to Investigate GOP Bill Offering Amnesty to Illegal Farmworkers, July 21, 2026.,

certified. This legislation would only further incentivize agricultural employers to use these types of workers.⁴ Co-sponsors say that there is no amnesty, because the bill does not grant citizenship by direct law, but providing legal status and workforce authorization provides the permission structure for illegal migrants to continue coming into the country hoping that they will not face deportation and gain citizenship. GOP supporters of this bill are actively working against the interests of not only American workers but the voter base of the party to which they belong.⁵

HEATED OPPOSITION. Cong. Mike Flood no longer supports the bill, having discovered the ruse. He removed his name as a co-sponsor and will work diligently to otherwise address the labor shortage issue for farmers and ranchers. Cong. Adrian Smith also opposes this bill. "I appreciate my colleagues' efforts to address challenges to labor for America's agriculture industry. Unfortunately, good intentions can have unintended consequences. As it is currently written, there is a provision that has the potential to reward illegal behavior, which I cannot support," he said. "These Republicans just stabbed Trump's deportation promise in the back with an amnesty farm bill. They're only gonna get the message one way," Greg Bovino, Trump's former Border Patrol chief, said, urging voters to vote out every reprobate congressman in a massive wave and replace them with real immigration hawks. Florida Gov. Ron DeSantis and multiple other federal officials criticized the bill, stating that expanding and modifying the H-2A



agricultural visa program lowers legal wage structures for U.S. workers and undercuts domestic job opportunities. Americans across the country are angry at their elected officials ignoring their concerns in favor of illegals. A country that wants to build things and become great again must prize the people who *do* the building and the work to make it happen. You cannot lower home prices, improve wages, or re-establish industry on a foundation of imported illegal labor. Bill sponsors should remember that the American people will not accept a subsidy to foreign labor at the expense of their own.⁶ The Immigration Accountability Project

(IAP) expresses a similar sentiment. "The timing is what's most surprising," IAP president Chris Chmielenski said, "The only explanation is that the 48 Republicans who support the bill care more about their Ag donors than their own constituents." The 1986 amnesty program came riddled with fraud, and the inadequate vetting resulted in one of those who received amnesty becoming an eventual 9/11 terrorist. The Foundation for American Immigration Reform also opposes the bill, stating that **HR 9535** is an amnesty for illegal alien workers that will encourage more illegal immigration, that the legislation also would fundamentally change our H-2A system by expanding the program and incentivizing even more industries to utilize cheap foreign labor instead of creating job opportunities for U.S. citizens and modernizing our workforce.⁷

SHRINKING SUPPORT. When Republican congressmen discovered the amnesty provision, most fled from the legislation, one exception being Cong. Don Bacon, a co-sponsor. He alleges that the bill follows the Pres. Trump call for more labor for farmers, though Trump opposes the bill.⁸ The American Farm Bureau Federation, the National Milk Producers Federation, the Western Growers Association, and over 400 agricultural groups have backed the bill, though several now hesitating because of the backlash.

PRESIDENT TRUMP. President Trump repeatedly has vowed to carry out the largest deportation operation in American history and reject any form of amnesty for illegal aliens.

TAKE ACTION NOW. Ag producers nationwide and in NE need additional ag workers seasonally, but offering eventual amnesty to illegal aliens is unnecessary. The ag sector can afford to hire, at decent wages, teens and able-bodied adults entering the labor market following the Trump welfare reform initiatives. Offering incentives for thousands of illegal aliens to enter the country would negate the Trump immigration policies and give the Socialist Democrats a huge, new pool of prospective voters in their ranks. Using the content above, lobby Cong. Bacon to remove his name as a co-sponsor. Email netaxpayers@gmail.com for his contact information and join our NTF *Project Immigration*.

⁴ Adriel Perez-Gonzalez, Daily Caller, Republicans Promised to Put America First, Instead They've Betrayed Everyone for Money from Massive Agriculture Donors, July 21, 2026.

⁵ Ryan Girdusky, The Daily Wire, Meet the Republicans Running for Re-Election on Amnesty, July 23, 2026.

⁶ Ibid.

⁷ Spencer Lombardo, The Daily Caller, Conservative Leaders Call GOP-Led Amnesty Bill 'Betrayal' To Voters, July 23, 2026.

⁸ Lewis Thune, Exclusive: Flood Withdraws Support for Ag Bill Accused of Being Backdoor 'Amnesty', July 24, 2026.