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For Immediate Release

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Court Ruling Reignites Existential Threat to U.S. Farmers, Warns NCAE

WASHINGTON, D.C. – Earlier today, the U.S. District Court in the Eastern District of California ruled against the Department of Labor (DOL) in the *UFW v. DOL* litigation on the *Adverse Effect Wage Rate Methodology (AEWR) for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States* Interim Final Rule (IFR). The IFR prevented a crisis from taking place in rural America. The judge's ruling returns rural America to a crisis situation.

"We are deeply disappointed by the Court's ruling," said John Hollay, President and CEO of the [National Council of Agricultural Employers](#). "For years, America's farmers, ranchers, and growers have been pushed toward a breaking point by artificially inflated wage mandates. The Department averted a crisis in rural America by issuing the IFR. The ruling reignites this crisis."

"NCAE remains eager," continued Hollay, "to work alongside the Department to establish a clear, sustainable wage structure moving forward. The judge's ruling underscores the need for Congressional action in passing the *Securing Agriculture's Workforce Act (SAWA)* of 2026. The fate of farming in America should not be determined at the whim of a single judge in California."

The federal court in Fresno, California found the IFR unlawful on multiple grounds and remanded the issue for the DOL to address. The Department will send out a notice within the next 7 days to employers to put them on notice that the court might order them to pay the difference between the current AEWRs and the AEWRs under the new rule that DOL will issue, from the date of the notice through the effective date of the new rule.

This highlights the need for a long-term solution to this issue that Congress can provide, and NCAE reiterates its support for the Securing Agriculture's Workforce Act and the crucial and lasting changes that it would make to end this cycle of crisis.

About NCAE

Founded in 1964, NCAE is the only national association focusing exclusively on agricultural labor issues from the agricultural employer's viewpoint.