

112TH CONGRESS
1ST SESSION

S. 1697

To amend the Immigration and Nationality Act to provide a special rule for the period of admission of H-2A nonimmigrants employed as sheepherders, goat herders, or dairy farmers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 12, 2011

Mr. LEE (for himself and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide a special rule for the period of admission of H-2A nonimmigrants employed as sheepherders, goat herders, or dairy farmers, and for other purposes.

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 TITLES.**

4 This Act may be cited as the “Dairy and Sheep H-
5 2A Act” or the “DASH Act”.

1 **SEC. 2. NONIMMIGRANT STATUS FOR DAIRY WORKERS,**
 2 **SHEEPHERDERS, AND GOAT HERDERS.**

3 Section 101(a)(15)(H)(ii)(a) of the Immigration and
 4 Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) is
 5 amended by inserting “or who is coming temporarily to
 6 the United States to perform agricultural labor or services
 7 as a shepherd, goat herder, or dairy worker,” after “of
 8 a temporary or seasonal nature,”.

9 **SEC. 3. SPECIAL RULE FOR PERIOD OF ADMISSION OF H-2A**
 10 **NONIMMIGRANTS EMPLOYED AS SHEEP-**
 11 **HERDERS, GOAT HERDERS, OR DAIRY WORK-**
 12 **ERS.**

13 Section 218(h) of the Immigration and Nationality
 14 Act (8 U.S.C. 1188(h)) is amended by adding at the end
 15 of the following:

16 “(3) In the case of an alien admitted as an H–
 17 2A worker for employment as a shepherd, goat
 18 herder, or dairy worker—

19 “(A) the initial period of admission shall
 20 be for a period of 3 years;

21 “(B) the period of admission may be ex-
 22 tended for additional periods of 3 years; and

23 “(C) no period of absence from the United
 24 States may be required as a condition of ap-
 25 proval of an extension under subparagraph
 26 (B).”.

1 **SEC. 4. PROVISIONS BY THE SECRETARY OF LABOR.**

2 The Secretary of Labor shall issue regulations that
3 address the specific requirements for the provision of
4 housing to sheepherders, goat herders, and dairy workers.

5 **SEC. 5. SAVINGS PROVISION.**

6 Nothing in section 218 of the Immigration and Na-
7 tionality Act (8 U.S.C. 1188), as amended by this Act,
8 may be construed to preclude the Secretary of Labor or
9 the Secretary of Homeland Security from continuing to
10 apply special procedures and requirements to the admis-
11 sion and employment of aliens in occupations involving the
12 range production of livestock.

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