

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.

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## 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

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## 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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