

113TH CONGRESS
1ST SESSION

S. 292

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

FEBRUARY 13, 2013

Mr. LEE 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.

○