

112TH CONGRESS  
1ST SESSION

# H. R. 3232

To improve the H-2A agricultural worker program for use by dairy workers, shepherders, and goat herders, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 14, 2011

Mr. OWENS (for himself, Mr. WELCH, Ms. HOCHUL, and Mr. HANNA) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To improve the H-2A agricultural worker program for use by dairy workers, shepherders, and goat herders, 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 TITLE.**

4 This Act may be cited as the “H-2A Improvement  
5 Act”.

6 **SEC. 2. NONIMMIGRANT STATUS FOR DAIRY WORKERS,**  
7 **SHEPHERDERS, AND GOAT HERDERS.**

8 Section 101(a)(15)(H)(ii)(a) of the Immigration and  
9 Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) is

1 amended by inserting “who is coming temporarily to the  
2 United States to perform agricultural labor or services as  
3 a dairy worker, shepherd, or goat herder, or” after  
4 “abandoning”.

5 **SEC. 3. SPECIAL RULES FOR ALIENS EMPLOYED AS DAIRY**  
6 **WORKERS, SHEEPHERDERS, OR GOAT HERD-**  
7 **ERS.**

8 Section 218 of the Immigration and Nationality Act  
9 (8 U.S.C. 1188) is amended—

10 (1) by redesignating subsections (h) and (i) as  
11 subsections (i) and (j), respectively; and

12 (2) by inserting after subsection (g) the fol-  
13 lowing:

14 “(h) SPECIAL RULES FOR ALIENS EMPLOYED AS  
15 DAIRY WORKERS, SHEEPHERDERS, OR GOAT HERD-  
16 ERS.—

17 “(1) IN GENERAL.—Notwithstanding any other  
18 provision of this Act, an alien admitted as a non-  
19 immigrant under section 101(a)(15)(H)(ii)(a) for  
20 employment as a dairy worker, shepherd, or goat  
21 herder—

22 “(A) may be admitted for an initial period  
23 of 3 years; and

1           “(B) subject to paragraph (3)(E), may  
2           have such initial period of admission extended  
3           for an additional period of up to 3 years.

4           “(2) EXEMPTION FROM TEMPORARY OR SEA-  
5           SONAL REQUIREMENT.—Not withstanding section  
6           101(a)(15)(H)(ii)(a), an employer filing a petition to  
7           employ H–2A workers in positions as dairy workers,  
8           sheepherders, or goat herders shall not be required  
9           to show that such positions are of a seasonal or tem-  
10          porary nature.”.

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