

113TH CONGRESS
1ST SESSION

H. R. 1444

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2013

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

A BILL

To improve the H-2A agricultural worker program for use by dairy workers, sheepherders, 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 **SHEEPHERDERS, 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
10 amended by inserting “who is coming temporarily to the

1 United States to perform agricultural labor or services as
2 a dairy worker, sheepherder, or goat herder, or” after
3 “abandoning”.

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

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

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

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

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

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

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

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

1 “(2) EXEMPTION FROM TEMPORARY OR SEA-
2 SONAL REQUIREMENT.—Notwithstanding section
3 101(a)(15)(H)(ii)(a), an employer filing a petition to
4 employ H–2A workers in positions as dairy workers,
5 shepherders, or goat herders shall not be required
6 to show that such positions are of a seasonal or tem-
7 porary nature.”.

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