



December 16th, 2019

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U.S. Citizenship and Immigration Services
U.S. Department of Labor
20 Massachusetts Avenue, NW, Mailstop #2140
Washington, DC 20529-2140

Submitted via Federal eRulemaking Portal Only

Re: USCIS Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements, DHS Docket No. USCIS-2019-0010

The American Sheep Industry Association (ASI) appreciates the opportunity to comment on the above referenced docket regarding the USCIS Fee Schedule and Changes. Since 1865, ASI has been the national trade organization representing the interests of the over 100,000 sheep producers located throughout the country who produce America's lamb and wool. ASI is a federation of forty-five state sheep associations representing a diverse industry. ASI strongly opposes the proposed increased fee for the Form I-129H2A with named beneficiaries.

Guest workers in the form of foreign herders care for over one-third of the ewes and lambs in the United States. For generations, our industry has relied on guest workers in one form or another to undertake positions that cannot be filled domestically. Our industry model is largely built around access to highly specific skills like range herding and sheep shearing. Most sheep production enterprises are small family owned businesses, operated by the owner often with the assistance of one or two guest herders. Some of these family businesses undertake the task of securing guest workers and maintaining the records themselves while the majority rely on agencies like Mountain Plains Agricultural Service or Western Range Association to handle those tasks for them. Therefore, the American Sheep Industry Association not only raises unique concerns with this proposed increase, but we also echo the comments expressed by these agencies.

Particularly important is that as small family businesses, the vast majority of the Form I-29H2A with named beneficiaries submitted by our industry include less than five individuals (note that Mountain Plains Agricultural Service which accounts for nearly half of our industry's applications puts the number of forms with under five individuals at 92 percent, and none with over 10). The impact of this proposed change would be to increase the fee per form from \$460 to \$860, an indiscriminate increase of over 85 percent. For this form, the increase vastly exceeds the agency's weighted average of 21 percent and comes on the heels of a prior increase in 2016. Over this same period general inflation has been 1 to 2.5 percent, yet the input prices for agricultural products have gone up, pushing farm gate receipts to plateau following the significant drop in 2015.

This proposed increase will result in a significant economic burden for ASI members and ultimately result in decreased participation in the H2A program. Without access to necessary employees and the inability to hire the skillset needed domestically, those operations will respond by contracting, impeding both the growth of our industry and the scale of economic benefit. In the 2010 Sheep Industry Survey focused on re-building sheep inventory, access to and the increasing cost of labor was identified as the primary factor in producers' decision not to expand in geographic regions where factors were otherwise conducive.

Thank you for this opportunity to comment. ASI urges the agency to reject the proposed fee increase for the I-129H2A Form as it would have a deleterious effect on both our members and the rural communities that rely on them.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. R. Adams". The signature is fluid and cursive, with a large initial "C" and "A".

Chase R. Adams
American Sheep Industry Association