



American Lamb Council



American Sheep Industry Association, Inc.  
www.sheepusa.org



American Wool Council

October 20, 2009

Mr. Thomas Dowd, Administrator  
Office of Policy Development and Research  
Employment and Training Administration  
U.S. Department of Labor  
200 Constitution Ave, NW, Rm N05641  
Washington, DC 20210

RE: Temporary Agricultural Employment of H-2A Aliens in the United States  
Federal Register 74; pages 45906-45965 [E9-21017], September 4, 2009

The American Sheep Industry Association (ASI), the national trade organization of the more than 82,000 farm and ranch families in the United States producing lamb and wool, is responding to the recently published above referenced regulation.

Special procedures in the areas of range production of livestock and housing are critical to the program's success for the sheep industry. A successful program, by the way, that dates back to the 1950's.

More than one-fourth of the nation's entire sheep production is supplied by the ranches that utilize sheepherders; therefore, the H-2A program, with the sheepherder provisions, is essential to the existence of our entire industry, from lamb meat processing companies to wool warehouses and textile firms. Furthermore, more than 20 percent of our wool production is dedicated to the garment needs of the United States military.

The importance of the historical special provisions utilized with the sheepherder program cannot be understated. ASI fully supports the absolute necessity for the special provisions on housing for range livestock production and on the wage rates in recognition that sheepherding in remote areas operates on a 24-hour / 7 day-a-week basis.

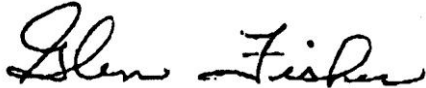
ASI agrees with the Western Range Association (WRA) in requesting that the Department of Labor (DOL) continues to provide special housing provisions given the remote location of herders and their need for mobility. These needs often are met with specially designed wagons that provide housing that can travel over difficult terrain as the herder moves flocks of sheep to required locations. WRA also specifically requests that the DOL continue to conduct prevailing wage surveys of sheepherder wages, including state-by-state annual surveys.

We ask every consideration that the provisions of the H-2A sheepherder and sheepshearer programs be continued.

We noted the proposed rule included very similar language to the DOL rule of 2008 with the following reference in support of the continued use of special provisions which we appreciate.

“DOL does not intend to require any industry currently using special procedures to seek ratification of their current practice, nor does the Department intend to require annual or periodic justifications of an industry’s need for special procedures.”

Sincerely,

A handwritten signature in black ink that reads "Glen Fisher". The signature is written in a cursive, flowing style.

Glen Fisher  
ASI President

C: Western Range Association  
Mountain Plains Agriculture Service