



U.S. Citizenship and Immigration Services

USCIS Publishes Updated Guidance on H-2A Petitions for Sheep/Goat Herders

U.S. Citizenship and Immigration Services today [published an updated policy memorandum \(PDF, 580 KB\)](#) (PM) that requires requests for temporary foreign workers for range sheep or goat herding or production to be subject to the same requirements as other temporary agricultural workers.

On Nov. 14, 2019, USCIS issued the “Temporary or Seasonal Need for H-2A Petitions Seeking Workers for Range Sheep and/or Goat Herding or Production” [Policy Memorandum](#) and requested public comments. After receiving comments, USCIS issued this updated PM to better ensure that those aliens admitted into the United States as H-2A nonimmigrant sheep/goat herders fill temporary and seasonal positions.

USCIS notes that where an employer’s need is permanent, rather than temporary or seasonal in nature, the employer may wish to file an immigrant visa petition under 8 U.S.C. 1153(b)(3). An immigrant visa has its own set of statutory and regulatory requirements, including showing that the petitioner’s need is permanent, rather than temporary or seasonal in nature. If the immigrant petition is approved, the alien may, if all other requirements are satisfied, apply to immigrate to the United States or, if already in the United States, seek adjustment of status to that of a lawful permanent resident.

Effective June 1, 2020, USCIS will adjudicate all [Forms I-129, Petition for Nonimmigrant Worker](#), filed by petitioners seeking H-2A sheep/goat herder positions in line with this updated PM. The future effective date allows H-2A petitioners sufficient time to amend their practices as necessary.

Last Reviewed/Updated: 02/28/2020