



April 14, 2008

Thomas Dowd, Administrator  
Office of Policy Development and Research,  
Employment and Training Administration,  
U.S. Department of Labor  
200 Constitution Avenue, NW., Room N-5641,  
Washington, DC 20210

RE: Regulatory Information No. 1205-AB55

Dear Administrator Dowd,

I write on behalf of the Dairy Business Association. DBA is an industry organization comprised of dairy producers, dairy processors and corporate and allied industry supporters. DBA's mission includes supporting the growth and success of all dairy farms in Wisconsin by fostering a positive business and political environment.

Each year, dairy farming and other sectors of Wisconsin agribusinesses represent \$51.5 billion of economic activity for the state and the nation. Wisconsin is home to 76,000 farms and more than 1.2 million dairy cows. Our dairies produce 23 billion pounds of milk annually, and Wisconsin leads the nation in cheese production. However, the future growth and success of this industry faces a serious limitation.

Though Wisconsin agriculture creates over 420,000 jobs, Wisconsin's dairy farmers find it increasingly difficult to recruit local employees for farm labor, especially employees willing to milk cows. This fact challenges our state's ability to maintain today's production levels, and if the amount of available labor decreases, dairy businesses will not be able to modernize and expand. Excluding the dairy industry from the H-2A agricultural worker visa program limits growth opportunities for dairies across the nation as well. On behalf of our industry, we ask that dairy producers be allowed the same specifically delineated access to the H-2A program labor that other agricultural sectors enjoy, such as the program for immigrant shepherders.

A reliable labor source is imperative to maintaining America's ability to compete with foreign dairy producers. If dairy industry growth is capped because of a labor shortage, those limitations will extend to other industries that dairy farming supports. We ask that the Department of Labor create the same procedures for dairy workers as those offered to other agricultural sectors eligible to participate in the H-2A, particularly shepherding.

*The Dairy Business Association is an industry organization comprised of dairy producers, corporate and allied industry supporters. DBA promotes the growth and success of all dairy farms in Wisconsin by fostering a positive business and political environment. For more information about DBA, please visit our website at [www.widba.com](http://www.widba.com).*

On behalf of all dairy farmers in the nation, the Dairy Business Association asks that the Department of Labor consider the creation of an H-2A visa for dairy workers that allows experienced immigrant dairy farm laborers to remain in the country for three years. This minimum effort would allow U.S. dairies to remain competitive in the international marketplace because dairy employers could spend less time training workers and more time growing their dairy businesses. DBA also supports an extension of the stay program to 30 days to allow more time for an approved H-2A employee to find second employment rather than the 10-day requirement that is currently in place. Small producers could utilize this extension, therefore allowing an H-2A worker to freely transfer to another employer after the contract is complete with the first dairy employer.

As many other organizations representing our nation's dairy industry have requested, DBA also encourages your agency to provide on-line training on the proper use of the complex application for filing electronically, while leaving the mail-in option available as a parallel option. In addition, DBA asks that any mandatory mid-season hiring requirements be eliminated to allow producers to more accurately calculate labor costs and avoid displacement of some workers. We also encourage you to give serious consideration to the recommendations dairy organizations are forwarding related to housing vouchers and the proposal to change the employer recruitment timeline, thereby bringing the H-2A program in line with the confirmation process for H-1B and H-2A visa applications.

Reliable, trained and accessible employees are the key to supporting the growth and long-term viability of Wisconsin's and the nation's dairy industries. It is critical that we find ways to decrease our growing dependence on imported dairy products as a function of our commitment to provide healthy, wholesome food for our nation. If our producers continue to experience a shortage of available legal immigrant employees, the dairy industry's contributions to the national economy will slow, and proportionally, the cost of food production and cost to consumers will rise.

The Dairy Business Association stands with other organizations representing the interest of not only the dairy farmers of the nation, but also the best interest of our citizens who rely on a safe and abundant food supply. Your serious consideration is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Fischer".

Laurie Fischer, Executive Director  
Wisconsin Dairy Business Association