From: U.S. Citizenship and Immigration Services [mailto:uscis@public.govdelivery.com]
Sent: Monday, June 15, 2015 3:57 PM
To:
Subject: USCIS Reaches H-2B Cap for the Second Half of Fiscal Year 2015

On June 5, 2015, USCIS announced that it had reopened the congressionally mandated H-2B cap for the second half of fiscal year (FY) 2015. USCIS has now received a sufficient number of petitions to reach the H-2B cap for the second half of FY 2015. June 11, 2015 was the final receipt date for new H-2B worker petitions requesting an employment start date before October 1, 2015.

The final receipt date is the date when USCIS received enough cap-subject petitions to reach the statutory limit of 66,000 H-2B workers for FY 2015.

What Happens After Reaching the Cap

USCIS will reject new H-2B petitions that:

- Request an employment start date before October 1, 2015; and
- Were received after June 11, 2015.

Petitions That Are Exempt from the Cap

USCIS will continue to accept H-2B petitions that are exempt from the congressionally mandated cap. These include the following types of petitions:

- H-2B workers in the United States or abroad who have been previously counted towards the cap in the same fiscal year;
- Current H-2B workers seeking an extension of stay;
- Current H-2B workers seeking a change of employer or terms of employment;
- Fish roe processors, fish roe technicians and/or supervisors of fish roe processing; and
- H-2B workers performing labor or services in the Commonwealth of the Northern Mariana Islands and/or Guam until December 31, 2019.

Additionally, the spouse and children of H-2B workers classified as H-4 nonimmigrants are not counted against this cap.

Once the H-2B cap is reached, USCIS will only accept petitions for H-2B workers who are exempt from the H-2B cap.

FY 2016 H-2B Cap Petitions

USCIS will consider H-2B petitions received on or after October 1, 2015, and/or requesting an employment start date on or after October 1, 2015, towards the FY 2016 H-2B cap. These petitions will be subject to all eligibility requirements for FY 2016 H-2B cap filings.

For more information about the H-2B work program, visit our website at uscis.gov/h-2b or call the National Customer Service Center at 1-800-375-5283 (TDD for the hearing impaired: 1-800-767-1833).

Please do not reply to this message. See our Contact Us page for phone numbers and e-mail addresses.

U.S. Citizenship and Immigration Services

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