



Office of Communications

**U.S. Citizenship
and Immigration
Services**

USCIS Update

July 30, 2008

USCIS REACHES H-2B CAP FOR FIRST HALF OF FISCAL YEAR 2009

WASHINGTON — U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of petitions to reach the congressionally mandated H-2B cap for the first half of Fiscal Year 2009 (FY2009). USCIS is hereby notifying the public that July 29, 2008 is the “final receipt date” for new H-2B worker petitions requesting employment start dates prior to April 1, 2009. The “final receipt date” is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 33,000 H-2B workers for the first half of FY2009.

USCIS will reject petitions for new H-2B workers seeking employment start dates prior to April 1, 2009 that arrive after July 29, 2008.

USCIS will apply a computer-generated random selection process to all petitions which are subject to the cap and were received on July 29, 2008. USCIS will use this process to select the number of petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions for workers who are currently in H-2B status do not count towards the congressionally mandated bi-annual H-2B cap. USCIS will continue to process petitions filed to:

- Extend the stay of a current H-2B worker in the United States;
- Change the terms of employment for current H-2B workers and extend their stay; or
- Allow current H-2B workers to change or add employers and extend their stay.

More information about the H-2B work program is available at www.uscis.gov or by calling the National Customer Service Center at 1-800-375-5283.

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