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Press Office

U.S. Department of Homeland Security



U.S. Citizenship  
and Immigration  
Services

# Press Release

March 16, 2006

## USCIS ISSUES SAMPLE H-2B ATTESTATION

Washington, D.C.– U.S. Citizenship and Immigration Services (USCIS) issued today a sample H-2B returning worker attestation for employers to follow when filing petitions including returning H-2B workers. Petitions for returning H-2B workers do not count towards the congressionally mandated bi-annual H-2B cap.

In order to qualify as a returning worker, a worker must have counted against the H-2B numerical cap during any one of the three fiscal years prior to the fiscal year of the approved start date of the H-2B petition. In order to qualify as a returning worker for Fiscal Year 2006, a worker must have counted against the H-2B congressionally mandated cap between October 1, 2002 and September 30, 2005.

The sample attestation will allow employers to follow a standardized example and ensure that all needed information is included with the H-2B petition. The sample is available at:  
[http://www.uscis.gov/graphics/formsfec/forms/files/H2B\\_Attestation.pdf](http://www.uscis.gov/graphics/formsfec/forms/files/H2B_Attestation.pdf).

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

– USCIS –

On March 1, 2003, U.S. Citizenship and Immigration Services became one of three legacy INS components to join the U.S. Department of Homeland Security. USCIS is charged with fundamentally transforming and improving the delivery of immigration and citizenship services, while enhancing the integrity of our nation's security.