



U.S. Citizenship
and Immigration
Services

Press Release

March 10, 2004

USCIS ANNOUNCES H-2B PROCEDURES – REACHES CAP

Washington, D.C.– U.S. Citizenship and Immigration Services (USCIS) announced today that it has received enough H-2B petitions to meet this year’s congressionally mandated cap of 66,000 new workers. After March 9, 2004, USCIS will not accept any new H-2B petitions subject to the FY 2004 annual cap.

USCIS will use the following procedure for the remainder of FY 2004:

- USCIS will process all petitions received by the end of business on March 9, 2004.
- USCIS will return all petitions subject to the annual cap (along with the filing fee and, if applicable, the premium processing fee) that are filed after the end of business on March 9, 2004.
- Petitioners may re-submit or file new petitions when they have received labor certification approval for work to start on or after October 1, 2004.

Petitions for current H-2B workers do not count towards the congressionally mandated H-2B cap. Accordingly, 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.
- Allow current H-2B workers to change or add employers.

- 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 our nation's security.