



U.S. Citizenship
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Cap Reached for Additional Returning Worker H-2B Visas for Second Half of FY 2022

Release Date : 05/31/2022

Under the [recently announced](#) H-2B supplemental cap temporary final rule increasing the cap by up to 35,000 additional H-2B nonimmigrant visas through the end of fiscal year (FY) 2022, USCIS has received enough petitions to reach the cap for the additional 23,500 visas made available for returning workers only. We continue to accept petitions for H-2B nonimmigrant workers for the additional 11,500 visas allotted for nationals of El Salvador, Guatemala, Honduras and Haiti, regardless of whether they are returning workers.

Because no properly filed petitions were received on the date of the temporary final rule's publication, we began accepting H-2B petitions on May 19. In the first five business days of filing, we received petitions for more beneficiaries than the additional 23,500 visas made available for H-2B returning workers. In accordance with DHS regulations, we used a computer-generated process to conduct a random selection of petitions to meet, but not exceed, the 23,500 returning worker allotment for FY 2022. The random selection, completed on May 27, included all H-2B cap-subject petitions filed under the H-2B returning worker allotment that were received between May 19 and May 25. We will reject and return any cap-subject petitions for H-2B returning workers (not including petitions for nationals of El Salvador, Guatemala, Honduras and Haiti) received after May 25, together with any accompanying filing fees. Petitions accepted for processing will have a receipt date of May 31, 2022. Premium processing service for these petitions begins on that receipt date.

Petitioners whose workers were not selected for the 23,500 returning worker allotment are encouraged to refile for workers from El Salvador, Guatemala, Honduras and Haiti while visas for that allotment remain available. The final date for filing petitions for nationals of El Salvador, Guatemala, Honduras and Haiti who are exempt from the returning worker requirement is Sept. 15, 2022, or when the cap is reached, whichever occurs first.

We will continue to accept H-2B petitions for workers filing under the El Salvador, Guatemala, Honduras, and Haiti allotment, as well as those that are exempt from the congressionally mandated cap. This includes petitions for:

- Current H-2B workers in the United States petitioning to extend their stay and, if applicable, change the terms of their employment or change their employers;
- Fish roe processors, fish roe technicians, and/or supervisors of fish roe processing; and

- Workers performing labor or services in the Commonwealth of Northern Mariana Islands and/or Guam from Nov. 28, 2009, until Dec. 31, 2029.

Additional information on the FY 2022 supplemental visas is available on the [Temporary Increase in Nonimmigrant H-2B Visas for FY 2022](#) page.

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