



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

USCIS Publishes Federal Register Notices Announcing H-2A and H-2B Petitions Must Include Printed Copy of Electronic Final Determination Form

On March 5, 2020, USCIS published two Federal Register notices regarding the submission of final determination forms with H-2A and H-2B petitions. The notices, one for [H-2A](#) and one for [H-2B](#), announce that petitioners must submit a printed copy of the electronic final determination form granting temporary labor certification (TLC) under the H-2A or H-2B programs through the U.S. Department of Labor's (DOL) [Foreign Labor Application Gateway \(FLAG\) system](#) with the corresponding H-2A or H-2B petition as evidence of an original valid or original approved TLC.

[USCIS previously announced](#) the requirement on our website on July 26, 2019. Employers whose application for a TLC was processed in FLAG must include a printed copy of the electronic one-page Form ETA-9142B, Final Determination: H-2B Temporary Labor Certification Approval, with their [Form I-129, Petition for a Nonimmigrant Worker](#), H-2B petitions, and USCIS will consider this printed copy as an original and approved TLC. On Oct. 1, 2019, [USCIS announced](#) that the electronic one-page Form ETA-9142A, Final Determination: H-2A Temporary Labor Certification Approval, must be submitted with Form I-129 H-2A petitions.

The publication of these Federal Register notices formally aligns USCIS procedures with DOL's transition to the new [FLAG](#) electronic filing and application process system, through which DOL no longer provides the employer or authorized attorney with a paper copy of a certified Form ETA-9142A or Form ETA-9142B.

Last Reviewed/Updated: 03/05/2020