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LAWS

Home > Working in the United States > Temporary Workers > H-2B Non-Agricultural Workers

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Working in the United States

Temporary Workers

- CW-1: CNMI-Only Transitional Worker
- E-1 Treaty Traders
- E-2 CNMI Investor
- E-2 Treaty Investors
- E-3 Certain Specialty Occupation Professionals from Australia
- H-1B Specialty Occupations and Fashion Models
- H-1C Registered Nurse
- H-2A Agricultural Workers
- H-2B Non-Agricultural Workers
- H-3 Nonimmigrant Trainee
- I Representatives of Foreign Media
- L-1A Intracompany Transferee Executive or Manager
- L-1B Intracompany Transferee Specialized Knowledge
- O-1 Individuals with Extraordinary Ability or Achievement
- P-1A Internationally Recognized Athlete
- P-1B Member of Internationally Recognized Entertainment Group
- P-2 Performer or Group Performing under Reciprocal Exchange Program
- P-3 Artist or Entertainer Part of a Culturally Unique Program
- Q Cultural Exchange
- R-1 Temporary Religious Workers
- TN NAFTA Professionals

Permanent Workers

Cap Count for H-2B Nonimmigrants

The H-2B Program

The H-2B non-agricultural temporary worker program allows U.S. employers to bring foreign nationals to the United States to fill temporary non-agricultural jobs. For more information about the H-2B program, see the link to the left under "H-2B Non-Agricultural Workers."

What is the H-2B Cap?

There is a statutory numerical limit, or "cap," on the total number aliens who may be issued a visa or otherwise provided H-2B status (including through a change of status) during a fiscal year. Currently, the H-2B cap set by Congress is 66,000 per fiscal year, with 33,000 to be allocated for employment beginning in the 1st half of the fiscal year (October 1 - March 31) and 33,000 to be allocated for employment beginning in the 2nd half of the fiscal year (April 1 - September 30). Any unused numbers from the first half of the fiscal year will be made available for use by employers seeking to hire H-2B workers during the second half of the fiscal year. There is no "carry over" of unused H-2B numbers from one fiscal year to the next.

Persons who are exempt from the H-2B cap

Generally, an H-2B worker who extends his/her stay in H-2B status will not be counted again against the H-2B cap. Similarly, the spouse and children of H-2B workers classified as H-4 nonimmigrants are not counted against this cap. Additionally petitions for the following types of workers are exempt the H-2B cap:

- Fish roe processors, fish roe technicians and/or supervisors of fish roe processing,
- From November 28, 2009 until December 31, 2014, workers performing labor or services in the Commonwealth of Northern Mariana Islands (CNMI) and/or Guam.

Once the H-2B cap is reached, USCIS may only accept petitions for H-2B workers who are exempt from the H-2B cap.

Fiscal Year 2014 H-2B Cap Count

As USCIS receives H-2B petitions for fiscal year 2014, the chart below will be regularly updated.

Cap Type	Cap Amount	Beneficiaries Approved	Beneficiaries Pending	Target Beneficiaries ¹	Total	Date of Last Count
H-2B: 1st Half FY 2014	33,000	6,848	1,417		8,265	10/25/2013
H-2B: 2nd Half FY 2014	33,000 ²					10/25/2013

¹ Refers to the estimated number of beneficiaries needed to be included on petitions filed with USCIS to reach the H-2B cap, with an allowance for withdrawals, denials, and revocations. This number will always be higher than the actual cap.

² As noted, if the cap is not reached for the 1st half of the fiscal year, those numbers will be

More Information

- [H-2A and H-2B - Signature Requirements For Electronically Filed Temporary Labor Certifications and the H Classification Supplement to Form I-129 Questions & Answers](#)
- [Calculating Interrupted Stays for the H-2 Classifications](#)
- [USCIS Announces 58 Countries Whose Nationals are Eligible for H-2A and H-2B Participation](#)
- [Reminder: Certain Fees May Not Be Collected From H-2A and H-2B Workers](#)

Forms

- [I-129, Petition for a Nonimmigrant Worker](#)
- [Premium Processing](#)
- [Employment Based Forms](#)

Other USCIS Links

- [VIBE Program](#)
- [Public Releases: Visas: H-2A and H-2B](#)
- [TITLE 8 CODE OF FEDERAL REGULATIONS \(8 CFR\)](#)
- [Numerical Limitation Exemption for H Nonimmigrants Employed in the CNMI and Guam \(51 KB PDF\)](#)

Non-USCIS Links

- [Department of State: Visa Bulletin](#)
- [U.S. Department of Labor: Foreign Labor Certification](#)

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- Information for Employers & Employees** ▼

made available for use during the 2nd half of the fiscal year. In some fiscal years, therefore, depending on demand for H-2B workers, more than 33,000 cap-subject persons may be granted H-2B status during the 2nd half of the fiscal year.

This page can be found at http://www.uscis.gov/h-2b_count

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- Adoption
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- Citizenship Resource Center
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- Military
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- Social Media Policy
- Plug-ins
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