



U.S. Citizenship
and Immigration
Services

Press Release

January 4, 2005

USCIS REACHES H-2B CAP New Processing Procedures Announced

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 January 3, 2005, USCIS will not accept any new H-2B petitions subject to the FY 2005 annual cap.

USCIS will follow the procedures set forth in the notice published on March 16, 2004 in the *Federal Register* at [69 FR 12340](#) to address the cap reached during FY 2004. USCIS will use the following procedure for the remainder of FY 2005:

- USCIS will process all petitions received by the end of business on January 3, 2005.
- 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 January 3, 2005.
- Petitioners may re-submit or file new petitions when they have received labor certification approval for work to start on or after October 1, 2005.

USCIS plans to provide further details on these procedures in a new notice that will be published in the *Federal Register* shortly.

– 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.