

United States | Additional H-2B Visas Made Available for FY 2024

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The Department of Homeland Security and the Department of Labor recently published a joint temporary final rule to increase the number of available H-2B temporary nonagricultural worker visas for fiscal year 2024.

Key Points:

- The rule will make available an additional 64,716 H-2B temporary nonagricultural worker visas for FY 2024, which began Oct. 1. The allocation is on top of the 66,000 cap-subject H-2B visas that are typically available each year.
- The allocation includes about 44,700 visas that are available to returning workers who received an H-2B visa or were otherwise granted H-2B status during one of the last three fiscal years. It also includes 20,000 visas reserved for nationals of Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti and Honduras, regardless of whether they are returning workers.
- These supplemental visas are for U.S. employers seeking to petition for additional workers at certain periods of the fiscal year before Sept. 16, 2024.
 - For the first half of FY 2024 (Oct. 31 to March 31), a total of 20,716 immediately available visas are limited to returning workers regardless of country or nationality. These petitions

must request employment start dates on or before March 31, 2024.

- For the early second half of FY 2024 (April 1 to May 14), 19,000 visas will be limited to returning workers regardless of country or nationality. These petitions must request start dates between April 1 to May 14. In addition, they must be filed no earlier than 15 days after the second-half statutory cap is reached, a date that U.S. Citizenship and Immigration Services will identify in a public announcement.
- For the late second half of FY 2024 (May 15 to Sept. 30), 5,000 visas are limited to returning workers regardless of country or nationality. These petitions must request start dates between May 15 and Sept. 30. Additionally, they must be filed no earlier than 45 days after the second-half statutory cap is reached, a date that USCIS will identify in a public announcement.
- Petitions requesting supplemental allocations under the rule must be made at the Texas Service Center.

Background: The temporary final rule contains provisions to protect both U.S. and H-2B workers. More information on the availability of H-2B visas for FY 2024 is available [here](#).

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