



[Home](#) > [Working in the United States](#) > [Temporary Workers](#) > [H-2B Non-Agricultural Workers](#) > Temporary Increase in H-2B Nonimmigrant Visas for FY 2026

Temporary Increase in H-2B Nonimmigrant Visas for FY 2026

i ALERT: As of Feb. 6, 2026, USCIS received more than enough petitions to reach the cap for the additional 18,490 H-2B visas made available for the first allocation of returning workers for FY 2026 with start dates from Jan. 1 to March 31, 2026, under the [H-2B supplemental cap temporary final rule \(FY 2026 TFR\)](#).

On Feb. 13, USCIS conducted a random selection process for petitions received on the first five business days of filing (Feb. 2 through Feb. 6, 2026). We will reject and return any cap-subject petitions that were not selected, together with any accompanying fees. Read more: [Cap Reached for First Allocation of Returning Worker H-2B Visas FY 2026](#).

On Jan. 30, the Department of Homeland Security (DHS) and the Department of Labor (DOL) jointly announced a [temporary final rule](#) increasing the numerical limit (or cap) on H-2B nonimmigrant visas by up to 64,716 additional visas for fiscal year 2026.

These supplemental visas are available only to U.S. businesses that are suffering irreparable harm or will suffer impending irreparable harm without the ability to employ all the H-2B workers requested in their petition, as attested by the employer on a new attestation form.

This temporary final rule authorizes H-2B supplemental visas for FY 2026. To assist U.S. businesses that need workers to begin work on different start dates, the supplemental visas will be distributed in three allocations, including two separate allocations for the second half of FY 2026. See “Allocation of Supplemental Visas” below.

Of the 64,716 additional visas, 46,226 will be available only for returning workers (workers who received an H-2B visa or were otherwise granted H-2B status in one of the last 3 fiscal years). The remaining 18,490 visas do not require the alien to be a returning worker. These visas are for employers with late-season needs for H-2B workers who will begin work between May 1 and Sept. 30, 2026.

See “Who Can Petition for the Additional Visas” below. To qualify for the additional visas, petitions must be received at the appropriate USCIS lockbox facility based on the petitioner's primary office



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address at the time of filing. H-2B petitioners should submit all FY 2026 Supplemental Cap petitions to a specific attention line at these lockbox facilities: “Attn: FY2026 H-2B Supplemental Cap.”

This increase is based on time-limited statutory authority that does not apply to the H-2B program in future fiscal years.

This increase in the cap is in accordance with section 101 of the Continuing Appropriations Act, 2026, Public Law 119-37, which extended the authorization previously provided in section 105 of Division G, Title I of the Further Consolidated Appropriations Act, 2024, Public Law 118-47, which gave the secretary of DHS the authority to make available additional H-2B visas for FY 2026. Before authorizing the additional visa numbers, the secretary of homeland security, in consultation with the secretary of labor, considered the needs of businesses and other factors, including the impact on U.S. workers and the integrity of the H-2B program.

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Who Can Petition for the Additional H-2B Visas



Allocation of Supplemental Visas



How to File an H-2B Petition for the Additional H-2B Visas



Important Filing Information



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