

## DHS Announces Countries Eligible for H-2A and H-2B Visa Programs

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On Nov. 8, 2023, the Department of Homeland Security (DHS) announced the list of countries whose nationals will be eligible to participate in the H-2A visa program for agricultural workers and the H-2B visa program for non-agricultural workers in 2024. The H-2A and H-2B visa programs allow U.S. employers to bring foreign nationals to the United States to fill temporary agricultural and nonagricultural jobs. Typically, U.S. Citizenship and Immigration Services (USCIS) approves H-2A and H-2B petitions only for nationals of countries designated by the Secretary of Homeland Security as eligible to participate in these programs. However, USCIS may still approve H-2A and H-2B nonimmigrant visa petitions for nationals of non-designated countries if USCIS determines, as a matter of discretion and on a case-by-case basis, that it is in the interest of the United States for the individual to be a beneficiary of such petition.

Effective Nov. 9, 2023, the Secretary of Homeland Security added **Bolivia** to the list of countries eligible for participation in the H-2A and H-2B nonimmigrant visa programs. Specifically, in sum, the Secretary of Homeland Security identified 87 countries whose

nationals are eligible to participate in the H-2A program for agricultural workers, and 88 countries whose nationals are eligible to participate in the H-2B program for non-agricultural workers for 2024. These designations are effective from Nov. 9, 2023, to Nov. 8, 2024. The [notice listing the eligible countries](#) was published in the Federal Register Nov. 9, 2023. This notice does not affect the status of H-2A and H-2B beneficiaries who are currently in the United States unless they apply to extend their stay in H-2A/H-2B status on or after the publication date of the Federal Register notice, Nov. 9, 2023. Similarly, this notice would not affect the eligibility of an H-2A and H-2B beneficiary to apply for an H-2 visa stamp at the U.S. Embassy or Consulate abroad and seek admission to the United States based on an H-2A/H-2B nonimmigrant petition approved prior to Nov. 9, 2023.

According to the Secretary of Homeland Security’s designations, effective Nov. 9, 2023, to Nov. 8, 2024, nationals of the following countries are eligible to receive H-2A and H-2B nonimmigrant visas in the United States:

Andorra	The Kingdom of Eswatini	Madagascar	Saint Lucia
Argentina	Fiji	Malta	San Marino
Australia	Finland	Mauritius	Serbia
Austria	France	Mexico	Singapore
Barbados	Germany	Monaco	Slovakia
Belgium	Greece	Mongolia* ( <i>* eligible to participate in the H-2B program only</i> )	Slovenia
Bolivia	Grenada	Montenegro	Solomon Islands
Bosnia and Herzegovina	Guatemala	Mozambique	South Africa
Brazil	Haiti	Nauru	South Korea
Brunei	Honduras	The Netherlands	Spain
Bulgaria	Hungary	New Zealand	St. Vincent and Grenadines
Canada	Iceland	Nicaragua	Sweden

Chile	Ireland	North Macedonia	Switzerland
Colombia	Israel	Norway	Taiwan
Costa Rica	Italy	Panama	Thailand
Croatia	Jamaica	Papua New Guinea	Timor-Leste
Republic of Cyprus	Japan	Paraguay** ( <i>** eligible to participate in the H-2A program only</i> )	Turkey
Czech Republic	Kiribati	Peru	Tuvalu
Denmark	Latvia	The Philippines* ( <i>* eligible to participate in the H-2B program only</i> )	Ukraine
Dominican Republic	Liechtenstein	Poland	United Kingdom
Ecuador	Lithuania	Portugal	Uruguay
El Salvador	Luxembourg	Romania	Vanuatu
Estonia			

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