

ALERTS

Immigration Update: USCIS accepting FY2016 H-1Bs as of April 1, 2015

03.16.2015

The United States Citizenship and Immigration Service (“USCIS”) will accept cap-subject H-1B Petitions on April 1st, 2015 for start dates of October 1st, 2015 or later. It is expected that the Service will receive more H-1B petitions than the mandated cap of 65,000 and the additional 20,000 for US Advanced degree holders. USCIS will accept petitions within the first five business days of April and if the numbers surpass the cap, no additional petitions will be accepted and a lottery will be held.

While USCIS will accept requests for premium processing on cap-subject H-1B, they have announced adjudication of premium processing petitions will start no later than May 11th, 2015. Last year, the Service announced premium processing would start no later than April 28th, 2014. This could mean USCIS expects to receive more than the 172,500 petitions that were filed for FY2015. Employers and employees should be prepared to wait until late May to receive a decision on premium processed cases.

Please contact an [MVA team member](#) if you have any questions on the H-1B cap or premium processing.