

# ALERTS

## Immigration Update: USCIS completes H-1B Visa lottery

04.14.2015

On April 13, 2015, USCIS conducted the computer-generated random selection process (aka "H-1B lottery") and selected petitions to meet the 65,000 general-category cap and the 20,000 cap under the advanced degree exemption.

As announced last week, USCIS received enough H-1B petitions to reach the statutory cap for fiscal year (FY) 2016. The Service received approximately 233,000 H-1B petitions during the FY2016 filing period, which ran from April 1-7, 2015.

USCIS conducted the lottery process for the advanced degree exemption first. All unselected advanced degree petitions then became part of the random selection process for the 65,000 limit. USCIS will reject and return all unselected petitions with their filing fees, unless the petition is found to be a duplicate filing.

On April 27, 2015, USCIS will begin premium processing cap-subject H-1B petitions that were filed pursuant to premium processing. Premium processing service is available for certain employment-based petitions and guarantees a 15-calendar-day processing time. Premium processed, cap-subject H-1B petition will be processed beginning April 27, 2015, regardless of the receipt date on the Form I-797 receipt notice.

The H-1B cap and lottery will not impact H-1B petitions that are otherwise cap-exempt, such as current H-1B workers previously counted against the cap who are seeking an extension of status or a change in the terms of their current employment. Premium, 15-day processing will continue as usual for cap-exempt H-1B petitions as well as petitions for other visa categories allowable under the current premium processing program.