

ALERTS

USCIS Conducts H-1B Visa Lottery

04.2016

On April 12, 2016, USCIS announced that it conducted the "H-1B lottery" and completed its selection process for petitions to meet the FY2017 H-1B cap.

USCIS used a computer-generated random selection process to select enough petitions to meet the 65,000 general-category cap and the 20,000 cap under the advanced degree exemption. The selection process for the advanced degree exemption was performed first, and all unselected advanced degree petitions then became part of the random selection process for the 65,000 cap.

Over 236,000 H-1B petitions were received at USCIS during this year's filing period which began April 1st. Petitions not selected in the lottery will be rejected and returned with their filing fees, unless the petition is found to be a duplicate filing. USCIS has confirmed that it will begin premium processing for H-1B cap cases no later than May 16, 2016.

USCIS will continue to accept and process H-1B petitions for individuals who were previously counted against the cap and seeking subsequent action on their current H-1B status, such as:

- H-1B employees seeking to extend their H-1B status;
- Changes in the terms of employment for current H-1B workers; and
- H-1B workers seeking to change employers.

If you have questions regarding the FY2017 cap or any other related inquiries, please contact an MVA team member.