

# ALERTS

## USCIS Reaches H-1B Cap for FY2019

04.2018

U.S. Citizenship and Immigration Services (CIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory caps for fiscal year 2019, which begins on October 1, 2018.

CIS has not confirmed exactly how many petitions have been received. If the number of petitions received exceeds the statutory caps, CIS will conduct the computer-generated lottery process (aka the "H-1B lottery").

The H-1B lottery selects at random the number of petitions needed to meet the caps of 65,000 visas for the general category and 20,000 under the advanced degree exemption. The lottery for the advanced degree cap will be conducted first. All advanced degree petitions not selected will then become part of the lottery process for the 65,000 limit.

The H-1B cap and lottery does not impact H-1B petitions that are otherwise exempt from the cap, such as current H-1B workers previously counted against the cap who are seeking an extension of H-1B status or a change in the terms of their current employment.

CIS also recently suspended premium processing service for all cap-subject H-1B petitions. This means that any petition subject to this year's H-1B cap is not eligible for this expedited 15-day processing.

If you have questions regarding the H-1B cap or any other related inquiries, please contact an MVA Immigration Team Member.