

ALERTS

USCIS hits H-1B Cap for FY2017

04.2016

U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory caps for fiscal year 2017. Based on the number of petitions received, USCIS will conduct the random selection process (aka "the H-1B lottery"). Due to the high number of petitions, USCIS is not yet able to announce the date it will conduct the lottery process.

The computer-generated lottery process will randomly select 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.

Prior to conducting the lottery, USCIS will complete initial intake for all petitions received during the filing period of April 1st - 7th. USCIS will return all cap-subject petitions not selected in the lottery, including the filing fees submitted with those petitions.

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 H-1B status or a change in the terms of their current employment.

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