

# One Minute Memo™



## H-1B Cap – Update

### *Current Status*

U.S. Citizenship and Immigration Services (USCIS) announced on April 10, 2007 that it has received 119,193 H-1B visa petitions that are counted against the 2008 annual limit of 65,000 H-1B's. As indicated in our previous alert, these H-1B petitions will be subject to a computer-generated random lottery conducted by the USCIS in the next few weeks.

In addition, the USCIS announced that it has received 12,989 H-1B visa petitions for individuals holding U.S. Master's degrees or higher, which are counted against the 2008 annual limit of 20,000 H-1B Master's cases. Therefore, at this time, there are 7,011 H-1B's that remain available for individuals who possess a U.S. Master's degree or higher.

### *Background*

There is an annual limit on the number of H-1B petitions that can be approved during the government's 2008 fiscal year (beginning October 1, 2007 and ending September 30, 2008). The H-1B cap for fiscal year 2008 is 65,000 (of which about 6,800 are reserved for nationals of Chile and Singapore under Free Trade Agreements with those countries). USCIS began accepting petitions for FY 2008 as of April 2, 2007.

There is an additional quota of 20,000 H-1B's which are reserved for persons who hold a Master's degree or higher awarded by a United States college or university.

*If you have any questions concerning this One Minute Memo, please contact the Seyfarth Shaw LLP attorney with whom you work or any immigration attorney on the website at [www.seyfarth.com](http://www.seyfarth.com).*

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