

# One Minute Memo<sup>®</sup>



## H-1B Quota Reached

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**Seyfarth Synopsis in a Second:** USCIS announced that the Fiscal Year 2017 H-1B quota has been reached.

On April 7, 2016, United States Citizenship & Immigration Services (USCIS) announced that it received sufficient H-1B petitions to meet both the Master's and regular H-1B quotas (or "caps") for Fiscal Year 2017, which begins on October 1, 2016. This means that USCIS received more than 85,000 H-1B petitions in the first week of filing, and that more than 20,000 of these petitions were filed under the Master's H-1B cap. USCIS will use a computer-generated random selection process for all cap-subject filings received from Friday, April 1 through Thursday, April 7, 2016 to determine which filings will be adjudicated.

USCIS will apply the lottery process first to cases subject to the H-1B Master's cap, which sets aside 20,000 H-1B visas for holders of U.S. Master's degrees or higher degrees. Any Master's cap petitions not selected in the Master's lottery will be eligible for selection in the regular H-1B lottery, effectively providing two opportunities for an H-1B visa. It is anticipated that USCIS will begin to issue receipt notices in May. USCIS has indicated that the 15-day period for adjudication of premium processing H-1B cap-subject filings will begin no later than May 16, 2016.

For additional background information on the H-1B visa program and the cap, please see our previous Client Alert titled, "[H-1B Work Permit Filings: Will You Beat the Cap?](#)"

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