

One Minute Memo®



USCIS Receives Nearly 233,000 H-1B Cap Petitions and Conducts Lottery

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On April 13, 2015, United States Citizenship & Immigration Services (USCIS) announced that it received nearly 233,000 H-1B petitions to meet both the Master's and regular H-1B quotas (or "caps") for Fiscal Year 2016, which begins on October 1, 2015. This means that USCIS received more than two and a half times the number of available H-1B petitions in the first week of filing, and that more than 20,000 of these petitions were filed under the Master's cap.

In addition, USCIS announced that they completed a computer-generated random selection process for all cap-subject filings received from Wednesday, April 1 through Tuesday, April 7, 2015 to determine which filings to adjudicate. USCIS first conducted the lottery process for H-1B petitions subject to the 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 were eligible for selection in the regular H-1B lottery, effectively providing two opportunities for an H-1B visa. USCIS will begin the process of sending Receipt Notices for petitions selected in the lottery while rejecting and returning petitions, together with the associated filing fees, that were not selected in the lottery. It is anticipated that USCIS will issue receipt notices beginning in May. USCIS has indicated that premium processing for all H-1B cap-subject filings will begin no later than May 11, 2015.

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?" by clicking [here](#).

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