

One Minute Memo[®]



USCIS Receives 199,000 H-1B Cap Petitions and Completes Lottery Process

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Seyfarth Synopsis: USCIS completes the lottery process and receives 199,000 H-1B cap petitions.

On April 17, 2017, United States Citizenship and Immigration Services (USCIS) announced that it received 199,000 H-1B petitions to meet both the Master's and regular H-1B quotas (or "caps") for Fiscal Year 2018, which begins on October 1, 2017. This means that USCIS received more than double 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. However, the number of petitions decreased this year, down from more than 236,000 petitions filed for Fiscal Year 2017.

In addition, USCIS announced that they completed a computer-generated random selection process -- the lottery -- for all cap-subject filings received from Monday, April 3 through Friday, April 7, 2017 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 now 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.

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

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