

USCIS Exceeds Fiscal Year 2016 Limit on H-1B Petitions

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United States Citizenship and Immigration Services (USCIS) has reached the congressionally mandated H-1B cap for fiscal year 2016. It also received more than the limit of 20,000 H-1B petitions filed under the U.S. advanced degree exemption ("U.S. Masters Cap"). By using a computer-generated process ("the H-1B cap lottery"), USCIS will randomly select the petitions needed to meet the 65,000 quota for the general category of new H-1B visas and the 20,000 quota for the U.S. Master's Cap.

USCIS will first randomly select petitions for U.S. Master's Cap. All unselected petitions under this category will become part of the random selection process for the 65,000 general quota. USCIS will reject and return filing fees for all unselected cap-subject petitions that are not duplicate filings.

Before running the lottery, USCIS will complete initial intake for all filings received up to April 7. Due to the high number of petitions, USCIS is not yet able to announce the date it will conduct the H-1B lottery. USCIS will continue to accept and process petitions that are exempt from the cap, such as petitions that were counted against the cap in previous years (such as extensions or amendments to employment terms).

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