

Going, Going, Gone! USCIS' FY 2015 H-1B Cap

Labor & Employment Law Update

on April 28, 2014

U.S. Citizenship and Immigration Services (USCIS) announced on April 7, 2014 that it had received a sufficient number of H-1B petitions to reach the statutory cap for fiscal year 2015, which begins on October 1, 2014. USCIS also received more than the limit of 20,000 H-1B petitions filed under the U.S. advance degree exemption. Approximately 172,500 H-1B petitions were received by USCIS during the filing period, which began on April 1, 2014. On April 10, 2014, USCIS completed a computer generated random selection process, or lottery, to select enough petitions to meet the 65,000 general cap and 20,000 advanced degree cap exemption. For petitions not selected during the lottery, USCIS will return the petitions along with the filing fees. The mad rush for H-1B cap filings highlights the importance of reforms to the legal immigration system to be based on market needs.