
H-1B Cap Opens on April 1, 2013

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On Monday, April 1, 2013, US Citizenship and Immigration Services (USCIS) will begin accepting cap-subject H-1B petitions for fiscal year 2014, with an employment start date of October 1, 2013. We recommend that all H-1B petitions subject to the FY 2014 cap be sent to USCIS on Friday, March 29 for receipt by USCIS on Monday, April 1. Any H-1B petitions subject to the cap received by USCIS before April 1, 2013 will be rejected.

There is a quota of 65,000 cap-subject H-1B visas each fiscal year. A separate allotment of 20,000 H-1B visas is available to foreign nationals holding a master's degree or other advanced degree from a US institution. Demand for H-1B visas has fluctuated in past years, with the cap being reached in June of last year, but in certain prior years within the first few days of when it opened. Therefore, while it is not possible to predict H-1B visa demand for the coming year, we recommend that employers submit their petitions as early as possible.

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