
H-1B (FY 2014) Cap Reached

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On Friday, April 5, 2013, US Citizenship and Immigration Services (USCIS) announced that it had received a sufficient number of H-1B petitions to reach the FY 2014 statutory cap for both the bachelor's and advanced degree quotas. USCIS will not accept cap-subject H-1B petitions received after April 5, 2013. In addition, USCIS has suspended premium processing until April 15, 2013, when the 15-day premium processing time period will commence.

USCIS received approximately 124,000 H-1B petitions during the filing period, including petitions filed for the advanced degree exemption. On April 7, 2013, USCIS used a computer-generated random selection process (lottery) to select a sufficient number of petitions to meet both caps—65,000 for the general H-1B category (bachelor's degree) and 20,000 under the advanced degree (US master's degrees and above) exemption limit. Cap-subject petitions not selected in the lottery process will be rejected and returned with filing fees. Due to the number of petitions, it may be several weeks until USCIS notifies petitioners about their cases.

Please contact WilmerHale Partner [Laura Schneider](#) to discuss alternative visa strategies that may be considered until the FY 2015 H-1B filing period commences on April 1, 2014.

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