H-1B Cap Update – USCIS Announced Data Entry Complete for FY2019 H-1B Cap Cases on May 15, 2018

May 16, 2018

Approximately six weeks after USCIS started accepting H-1B Cap petitions for FY2019, USCIS announced on May 15, 2018 that all data entry had been completed. H-1B Cap receipts have been trickling in throughout May and it is anticipated that the last receipts are "in the mail." As such, those selected in the H-1B lottery should be notified within the next few weeks.

Due to workload allocation, USCIS may transfer some H-1B petitions between the Vermont and California Service Centers. Any case that is transferred will receive a notice in the mail.

Premium Processing remains suspended for H-1B Cap cases. USCIS announced in March that the Premium Processing suspension would last until September 10, 2018. As such, processing times are anticipated to be four to six months.

H-1B petitions not selected in the lottery will be returned. Typically, the process of returning the H-1B petitions takes many more weeks than notifying lottery winners. We expect to receive rejected H-1B petitions through June.

Proskauer will continue to monitor H-1B Cap cases and notify clients as soon as information regarding their matters is available.