Proskauer

H-1B Cap Reached: FY 2020 H-1B Cap Surges with Over 200,000 Petitions Received

April 12, 2019

USCIS reported yesterday it had received 201,011 H-1B cap petitions in the first five (5) days of April and that the random selection process for FY 2020 H-1B Cap had been completed on April 11, 2019. The total petitions received this year went up from the prior two years, halting the downward trend. Receipts for the H-1B cases selected in the lottery are already trickling in.

See the chart below:

Lotteries: Per the recent regulation, USCIS switched the order that Regular Cap and US Master's Cap lotteries are run. This year, USCIS first ran the general lottery for 65,000 H-1B Cap visas, which now also includes the U.S. Master's degree applicant. Upon completion, USCIS determined that it received more than the allotted 20,000 U.S. Master's petitions and completed that lottery as well. Changing the order of the lotteries is intended to increase the number of individuals with U.S. Master's degrees selected and implement the Executive Order, "Buy American, Hire American."**Next Steps:** As indicated, filing receipts have begun to come in and will continue to for the next several weeks. The first receipts to arrive are for cases that are being Premium Processed, since those receipts are emailed. However, USCIS does not expect to begin adjudicating these cases until May 20, 2019.Any case that is not selected in the lottery will be returned. Usually, the process of returning rejected cases stretches into July.As soon as Proskauer receives a filing receipt or rejection, we will notify clients.

FY	TOTAL
FY 2020	201,011
FY 2019	190,098
FY 2018	199,000
FY 2017	236,000
FY 2016	233,000
FY 2015	172,000
FY 2014	124,000

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