

USCIS Announces the H-1B cap for FY23 Has Been Reached

On August 23, 2022, U.S. Citizenship and Immigration Services (USCIS) announced that it has received a sufficient number of petitions to reach the congressionally mandated 65,000 H-1B regular cap and the 20,000 H-1B advanced-degree exemption, known as the master's cap, for fiscal year 2023 (FY23).

USCIS completed its update to the online registration system, and registrants not selected in the "H-1B lottery" will now show status as "Not Selected – Not Eligible to File an H-1B Cap Petition."

This moratorium on H-1B visas only refers to new H-1B cap cases filed for FY2023. Petitions for current H-1B workers who have been counted previously against the cap, and who still retain their cap number, are exempt from the FY2023 H-1B cap.

USCIS will continue to process cap-exempt H-1B petitions, H-1B extension petition, new employer petitions, petitions to change the terms of employment (including change of work location or job duties), and H-1B concurrent work petitions.

The next time new H-1B visas will become available will be for FY2024 (starting October 1, 2023). USCIS will conduct the next H-1B lottery in March 2023.

If you have any questions concerning the H-1B lottery for FY2023, please contact us.



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