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## H-1B Lottery Held

### ***Winners to Be Notified Soon***

U.S. Citizenship and Immigration Services (USCIS) has announced that on Thursday, April 12th, a random selection process, or “lottery,” was conducted to select the H-1B petitions that will be allowed to proceed to final processing under the numerical annual cap of 58,200 H-1Bs imposed by Congress (the actual cap of 65,000 is automatically reduced by the 6,800 H-1B numbers that Congress has reserved for nationals of Chile and Singapore pursuant to existing free trade agreements).

USCIS has received roughly 124,000 cap-subject petitions, meaning the chance of receiving H-1B status for a timely filed petition stands at about 47%. Lottery “winners” will receive a USCIS receipt notice indicating that the petition has been accepted for adjudication; those petitions not accepted for final processing will be returned to the petitioner or its attorney along with the associated filing fees. That process will take approximately four weeks.

For those cases filed using the Premium Processing system (paying an extra fee of \$1,000 in return for a decision within 15 days), the 15 days shall begin to run on Thursday, April 12th.

As of today, the USCIS continues to accept H-1B petitions for those aliens with an advanced degree from a U.S. institution of higher education, but those numbers are expected to be gone very soon.

We will continue to provide updates regarding the H-1B lottery as information is made available by USCIS.

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*If you would like more information on any immigration matter, please contact your immigration attorney at Mintz Levin or go to [www.mintz.com](http://www.mintz.com).*

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