

Related Services

Immigration

Fiscal 2023 H-1B Cap Has Been Reached

Legal Update

08.26.2022

The United States Citizenship and Immigration Services (USCIS) has received a sufficient number of petitions needed to reach the congressionally mandated 65,000 H-1B visa regular cap and the 20,000 H-1B visa U.S. advanced degree exemption, known as the master's cap, for fiscal year (FY) 2023.

USCIS has completed sending non-selection notifications to registrants' online accounts. The status for registrations properly submitted for the FY 2023 H-1B numerical allocations, but that were not selected, will now show:

- Not Selected: Not selected – not eligible to file an H-1B cap petition based on this registration.

It will continue to accept and process petitions that are otherwise exempt from the cap. Petitions filed for current H-1B workers who have been counted previously against the cap, and who still retain their cap number, are exempt from the FY 2023 H-1B cap. It will continue to accept and process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States;
- Change the terms of employment for current H-1B workers;
- Allow current H-1B workers to change employers; and
- Allow current H-1B workers to work concurrently in additional H-1B positions.

For more information, please contact Fredrikson's Immigration Team.