



STATEMENT

March 20, 2001

H-1B Cap

As of March 7, 2001, the Immigration and Naturalization Service (INS) reported that approximately 72,000 H-1B workers have been approved against the 195,000 limit for FY 2001, which ends on September 30, 2001. On October 17, 2000, Public Law 106-313, the American Competitiveness in the Twenty-First Century Act (AC21), which significantly changed the H-1B program and the employment-based immigration program, was signed into law. AC21 increases the yearly number of H-1B nonimmigrant visas to 195,000 for FY 2001, 2002 and 2003, before returning to 65,000 in FY 2004.

Prior to the passage of AC21, 107,500 H-1B visas were available for FY 2001 before returning to 65,000 in FY 2002. In addition, the law exempts any petition filed before September 1, 2000 and any alien employed by an institution of higher education or certain research organizations from counting against the FY 2001 cap.

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