

USCIS Update



Office of Communications

U.S. Citizenship
and Immigration
Services

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USCIS UPDATES COUNT OF FY 2008 H-1B CAP FILINGS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) announced an updated number of filings today as the counting of H-1B petitions received on April 2 and 3 continues. On April 3, USCIS announced that it had received enough petitions to meet the congressionally mandated cap for fiscal year 2008 (FY 2008) and that it would conduct a computer-generated random selection of cap-subject petitions filed on Monday (April 2) and Tuesday (April 3) to determine which cases would be accepted for processing.

As of April 9, USCIS has determined that approximately 119,193 of the H-1B petitions received on April 2 and 3 are subject to the FY 2008 congressionally mandated cap.

USCIS received on April 2 and 3 a total of approximately 12,989 cases requesting an exemption from the FY 2008 H-1B cap because they were filed on behalf of aliens holding a master's degree or higher from a U.S. institution. USCIS can now announce that the cap of 20,000 on these exempt cases remains open and that USCIS will continue to monitor these filings.

USCIS will provide regular updates as the processing of FY 2008 H-1B cap cases continues.

H-1B in General: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers or computer programmers. As part of the H-1B program, the Department of Homeland Security (DHS) and the Department of Labor (DOL) require U.S. employers to meet specific labor conditions to ensure that American workers are not adversely impacted, while DOL's Wage and Hour Division safeguards the treatment and compensation of H-1B workers.

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