

USCIS Response to Coronavirus (COVID-19)



U.S. Citizenship
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FY 2023 H-1B Cap Season Updates

Release Date : 03/29/2022

H-1B Initial Electronic Registration Selection Process Completed

U.S. Citizenship and Immigration Services has received enough electronic registrations during the initial registration period to reach the fiscal year (FY) 2023 H-1B numerical allocations (H-1B cap), including the advanced degree exemption (master's cap). We randomly selected from among the registrations properly submitted to reach the cap. We have notified all prospective petitioners with selected registrations that they are eligible to file an H-1B cap-subject petition for the beneficiary named in the applicable selected registration.

Registrants' online accounts will now show one of the following statuses for each registration (that is, for each beneficiary registered):

- **Submitted:** The registration has been submitted and is eligible for selection. If the initial selection process has been completed, this registration remains eligible, unless subsequently invalidated, for selection in any subsequent selections for the fiscal year for which it was submitted.
- **Selected:** Selected to file an H-1B cap petition.
- **Denied:** Multiple registrations were submitted by or on behalf of the same registrant for the same beneficiary. If denied as a duplicate registration, all registrations submitted by or on behalf of the same registrant for this beneficiary for the fiscal year are invalid.
- **Invalidated-Failed Payment:** A registration was submitted but the payment method was declined, rejected, disputed, or cancelled after submission.

For more information, visit the [H-1B Electronic Registration Process](#) page.

FY 2023 H-1B Cap Petitions May Be Filed Starting April 1

H-1B cap-subject petitions for FY 2023, including those petitions eligible for the advanced degree exemption, may be filed with USCIS beginning April 1, 2022, if based on a valid, selected registration.

Only petitioners with selected registrations may file H-1B cap-subject petitions for FY 2023, and only for the beneficiary named in the applicable selected registration notice.

An H-1B cap-subject petition must be properly filed with the correct service center and within the filing period indicated on the relevant registration selection notice. The period for filing the H-1B cap-subject petition will be at least 90 days. Online filing is not yet available for H-1B petitions, so petitioners filing H-

H-1B petitions must do so by paper. Petitioners must include a printed copy of the applicable registration selection notice with the FY 2023 H-1B cap-subject petition.

Petitioners filing H-1B cap-subject petitions, including those petitions eligible for the advanced degree exemption, must still establish eligibility for petition approval at the time the petition is filed and through adjudication, based on existing statutory and regulatory requirements.

Selection in the registration process does not relieve the petitioner of submitting evidence or otherwise establishing eligibility, as registration only pertains to eligibility to file the H-1B cap-subject petition.

For more information, visit the [H-1B Cap Season](#) page.

Pre-paid Mailer Suspension

We will not use pre-paid mailers to send out any communication or final notices for fiscal year 2023 cap-subject H-1B petitions, including those requesting consideration under the advanced degree exemption.

The process of printing and mailing the cap-subject H-1B petition approval notices by first-class mail is fully automated. Using pre-paid mailers requires a separate, more time-consuming manual process. The existing automated process is more time efficient for both petitioners and USCIS. Because of this, we will use first-class mail as we work to process all cap-subject petitions in a timely manner.

Receipt Notice Delays

When we receive a timely and properly filed H-1B cap subject petition, the petitioner (and, if applicable, the petitioner's legal representative) will be provided a Form I-797, Notice of Action, communicating receipt of the petition. Due to increased filing volumes typically seen during H-1B cap filing periods, there are instances where a petition is timely and properly filed, but issuance of the Form I-797 is delayed. If a petitioner has confirmation from the delivery service that the petition was delivered, but they have not yet received a Form I-797 confirming receipt of the petition, the petitioner should not submit a second petition. If a petitioner has confirmation from the delivery service that the petition was delivered and they then submit a second petition, the petitioner will be considered to have submitted duplicate petitions. This will result in denial or revocation of both petitions.

If more than 30 days have passed since the confirmation of delivery and the petitioner has still not received a Form I-797, the petitioner may contact the [USCIS Contact Center](#) for assistance.

If a petitioner receives notification from the delivery service, or their tracking information suggests, that there may be a delay or damage to the package or that the package was misrouted, the petitioner should follow the Delivery Service Error Guidance on the [H-1B Cap Season](#) webpage.

Last Reviewed/Updated: 03/29/2022