



GMS Flash Alert

Immigration Edition

2021-208 | August 2, 2021

United States - Second H-1B Lottery Conducted for FY2022

On July 28, 2021, U.S. Citizenship and Immigration Services (USCIS) began contacting employers via e-mail about registrations that were selected in a second H-1B cap lottery for the 2022 fiscal year (FY). The initial H-1B cap lottery for FY22 was conducted in March 2021. Selection notices were also posted to employers' H-1B cap registration online accounts which includes details of when and where to file.¹

Additional H-1B registrations were selected because the initial filing period of April 1, 2021 to June 30, 2021, did not yield enough H-1B cap petitions to meet the annual quota of 85,000. USCIS has not yet confirmed the number of registrations selected in the second lottery.

Petitions for newly-selected H-1B registrations may be filed with USCIS between August 2, 2021 and November 3, 2021.

WHY THIS MATTERS

Employers that submitted registrations but were not selected in the first lottery for the FY2022 H-1B cap should be made aware that these registrations may be chosen in the second lottery. No action is required for previously-unselected registrations to be eligible for the second draw. Employers and their legal counsel should immediately review their online accounts to determine whether new registrations were selected.

The additional chance to be selected in the FY2022 H-1B cap lottery is good news for thousands of potential H-1B beneficiaries.

KPMG NOTE

Employers with newly-selected registrations are encouraged to work with immigration counsel to make sure that H-1B cap petitions are filed within the deadline and to the correct USCIS Service Center. At this time, online filing is not available for H-1B petitions. The UCSIS will only accept paper-based H-1B cap-subject petitions which must include

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KPMG NOTE (cont'd)

a printed copy of the applicable registration selection notice.

KPMG Law LLP will track this matter closely and we will endeavor to keep readers of *GMS Flash Alert* informed of any new developments as and when they occur.

FOOTNOTE:

1 See: <https://www.uscis.gov/news/alerts/uscis-conducts-second-random-selection-from-previously-submitted-fy-2022-h-1b-cap-registrations> .

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Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in Canada:



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