

Update on H-1B Master's Cap Lottery

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AILA: Was the master's cap random lottery, for cases received on 4/30/07, already conducted? We are getting questions from members whose cases were received on 4/30/07 and who received receipt notices dated 5/2/07. Does that mean they made the lottery, or, is this going to be handled like the regular lottery in that receipts between 5/1/07 and the day of the lottery are just informational? Members are also reporting receiving approvals (under premium processing) for cases filed on 4/30/07 so we would like to confirm that they are valid.

SCOPS: Yes, the random number generator (RNG) has been run for H-1B Master's cap-exempt cases received on 4/30/07. Only cases received on 04/30/07, the final cut-off date for this particular grouping, were subject to the RNG. These cases have been subsequently sent to the "floor" for adjudication and as you note, some have already been approved with notices sent to the appropriate parties. These are legitimate approvals. Cases received on 5/1/07 or later will be rejected and fees will be returned. If a case was received on 5/01/07 or later and was data entered, it will be rejected as well and the fee will be refunded to the petitioner or his or her attorney of record.