

# GMS Flash Alert

## Immigration Edition

2021-290 | November 23, 2021



## United States – Third H-1B Lottery Conducted for FY2022

On November 19, 2021, U.S. Citizenship and Immigration Services (USCIS) began contacting employers via email about registrations that were selected in a third H-1B cap lottery for the 2022 fiscal year (FY2022). The first two H-1B cap lotteries were conducted in March 2021 and July 2021, respectively. Selection notices were also posted to employers' H-1B cap registration online accounts which includes details of when and where to file.<sup>1</sup>

Additional H-1B registrations were selected because the first two filing periods 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 third lottery. (For prior coverage, see the following issues of *GMS Flash Alert*: [2021-242](#) (September 22, 2021) and [2021-208](#) (August 2, 2021).)

Petitions for newly-selected H-1B registrations may be filed with USCIS between November 22, 2021 and February 23, 2022.

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### WHY THIS MATTERS

Employers that submitted registrations but were not selected in the earlier lotteries for the FY2022 H-1B cap should be made aware that these registrations may be chosen in the third lottery. No action is required for previously-unselected registrations to be eligible for the third 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.

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## 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 USCIS will only accept paper-based H-1B cap-subject petitions which must include 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.

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## FOOTNOTE:

1 See USCIS, “USCIS Conducts Third Random Selection from Previously Submitted FY 2022 H-1B Cap Registrations” (November 19, 2021) at: <https://www.uscis.gov/newsroom/alerts/uscis-conducts-third-random-selection-from-previously-submitted-fy-2022-h-1b-cap-registrations>.

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## Now Available:

### The 2021 KPMG Global Assignment Policies and Practices (GAPP) Survey Report

The results of the 2021 KPMG Global Assignment Policies and Practices (GAPP) Survey are now available.

For global-mobility leaders of multinational organizations, benchmarking their global-mobility policies and practices against those of other global organizations and industry peers can be a powerful tool for reflecting on their current approach and planning how to prepare their talent-mobility program for the future.

The data offers insights into global-mobility programs and how they are evolving in terms of mobility, tax and immigration policies, structure, governance, priorities, performance measures, using technology and automation, and more.

The report presents a brief overview of selected key findings from the survey data and offers some important takeaways for global-mobility professionals during an unprecedented year.

To view the client-facing website, key findings, and **to access the 2021 KPMG Global Assignment Policies and Practices (GAPP) Survey Report**, click [here](#).

## 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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*\* Please note that KPMG LLP (U.S.) does not provide any immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

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