

It's Time to Increase the H-1B Cap Again



By [Andrew M. Wilson](#)

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This year, FY 2022, was a particularly bad year for H-1B cap lottery applicants. The total number of H-1B cap registrations surpassed 300,000 (308,613). This represented a 12% increase from FY 2021. If you do the math, this year's H-1B cap selection rate was about 28%. That is inching towards a 1 in 4 shot for these H-1B cap applicants and their employers.

It is time to revisit the 85,000 H-1B cap annual quota. The base number of 65,000 was set more than 30 years ago in 1990 - with another 20,000 for advanced degree holders from a U.S. university added 15 years ago in 2006.

Addressing the imbalance and raising the H-1B cap is not unprecedented. It was elevated to 115,000 for the years 1999 and 2000, and subsequently up to 195,000 for 2001-2003. Based on the current demand, why not do this again?

Too many companies are losing employees who were the unlucky ones over several years, missing out on H-1B cap lottery selection multiple times under the current system. How is it possible that there is such a low chance of selection for one of our immigration system's most important non-immigrant visa categories?

85,000 is simply not enough. 24-month STEM OPTs are great, but let's really address the issue at hand and raise the H-1B quota like it's 1999.

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