

Practice Areas

BUSINESS

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H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries:

- Australia
- Chile / SingaporeE-1

E-1 Visas

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PERM Labor Certification

HOSPITALS / HEALTHCARE

H-1C Visas

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FAMILY

Spouse / Fiancée Visas

Permanent Residence for Family
within U.S.

Naturalization /Citizenship

AMNESTY

Update: Foreign Worker Slots Remaining for FY 2012

Posted: June 13th, 2011

U.S. Citizenship and Immigration Services (“USCIS”) still has slots available in fiscal year 2012 for foreign workers in specialty occupations under the H-1B program.

Thus, employers who seek an employment start date on or after October 1, 2011 (the start of the 2012 fiscal year) for foreign workers in specialty occupations can still file visa petitions on behalf of those workers. By rule, the specialty occupations include, but are not limited to: scientists, engineers and computer programmers.

Petitions should be filed as soon as possible in order to avoid being shut down by the annual cap limitation for the H-1B program (cap amount of 65,000 for FY 2012).

Some petitions will be exempt from the cap if they are made on behalf of certain individuals who have obtained an advanced U.S. degree, but USCIS grants the exemption only to the first 20,000 applications.

The current H-1B petition counts are as follows through June 1, 2011:

- H-1B Regular Cap: 13,600 cap-eligible petitions
- H-1B Advanced Degree Exemption: 9,300 petitions

Up to 6,800 visas may also be set aside for workers from Chile and Singapore, pursuant to the H-1B1 program arising out of the U.S.-Chile and U.S.-Singapore Free Trade Agreements.

H-1B petitions, in order to be properly filed, must be complete and accurate. Necessary documents include, but are not limited to the following:

- A Form I-129 petition with appropriate supplements;
- Labor condition applications on Form ETA 9035;
- Required evidence of a beneficiary’s educational background;

The Shapiro Law Group

Illinois Business Immigration Lawyer

450 Skokie Boulevard, Suite 502
Northbrook, IL 60062, United States
Phone: 847.564.0712
Fax: 847.564.0871
Email: consult@ronaldshapiro.com
Website: <http://www.ronaldshapiro.com/>
Blog: <http://www.business-immigration-lawyer.com/>

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- Duplicate copies of certain documents; and
- Consulate-specific forms required by the Department of State where appropriate.

If you are in need of more information about business immigration, please check the pertinent section of [our Website](#) or call our offices for an appointment at (847)564-0712.