



The Shapiro Law Group
450 Skokie Blvd., Suite 502,
Northbrook, IL 60062
Phone: (847) 564-0712
Fax: (847) 564-0871
consult@ronaldshapiro.com

PRACTICE AREAS

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H-1B

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E-1 Visas

E-2 Visas

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H-1C Visas

H-1B Visas for Doctors

FAMILY

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Permanent Residence for Family
Within U.S.

Naturalization / Citizenship

AMNESTY

Availability of H-1B Visas in 2010

5/19/2010

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The H-1B Lottery System opened on April 1, 2010, but now that bailouts have become commonplace in the American economic system, companies are wondering how easy it will be to acquire the professionals needed in the fields of accounting, computer analysis, engineering, medicine, science, architecture, finance and others. Companies such as Bell Atlantic, Cisco, Ernst & Young, Hewlett-Packard, Microsoft and Motorola all obtain professionals through the H-1B program and contend that their ability to compete in global markets depends on the innovative thinking and creative contributions given by these workers from foreign countries. However, the American public has been vocal regarding job preservation for American workers and greater restrictions on sponsoring foreign workers under the H-1B program can be expected in the future.

Due to current concerns about the condition of US unemployment, attention is still being focused on the H-1B worker program. On April 23, 2009, a bill was put forth by Senators Dick Durbin of Illinois and Charles Grassley of Iowa to prevent companies that have sponsored foreign workers under H-1B from having more than 50 percent of their workers from H-1B visas. The fear is that companies in the grip of laying off American workers will tend to rely on the budget savings provided by lower salaried H-1B workers.

Former Federal Reserve Chairman, Alan Greenspan, in an April 30, 2009 statement, argues that the ceiling now on H-1B workers is "far too small to meet the need" for highly-skilled workers, and that it protects US workers from global competition, making them a "privileged elite."

It is certain that the H-1B program will continue, though not at the high levels seen in the early 2000's. TARP funds and other publicly-funded efforts to stabilize the American economy will no doubt limit H-1B and other worker programs in the near future, making the atmosphere much



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more competitive for foreign nationals seeking to gain employment in the US.