



Special Immigration Alert: H-1B Filings Update

As of May 5, 2012, U.S. Citizenship and Immigration Services (USCIS) has received 32,200 petitions that count against the 65,000 H-1B Regular Cap, and 13,700 petitions that count against the 20,000 H-1B Master's Cap. USCIS will continue to accept new petitions until it has filled the H-1B Regular and Master's Caps.

We anticipate that the pace of H-1B submissions will now quicken because, among other reasons, foreign students working in F-1 Optional Practical Training status are receiving degrees, thus allowing their employers to sponsor them for the H-1B classification. Therefore, we strongly advise employers to identify, and promptly file, any petitions subject to the H-1B Cap – including petitions of L-1B employees who may need to switch to H-1B status to extend their authorized stay due to delays in the green card process. Any foreign national candidates who do not make it under the 2013 H-1B Cap may not be able to start work, or continue working, until October 1, 2013 – or later!

For more information, or if you have questions regarding how this situation might affect you, your employees, or your organization, please contact one of the following members of the Immigration Law Group at Epstein Becker Green:

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