

H-1B Cap Nowhere Near Met

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As expected, the cap for H-1B nonimmigrant petitions of 65,000 for fiscal year 2011 was not met in the initial filing period of April 1 through April 7. Only 13,500 H-1B petitions were filed counting toward the 65,000 general cap. Another 5,600 petitions were filed by individuals with a Master's degree or higher. These petitions count toward the 20,000 cap for advanced degrees.

If you were considering seeking a H-1B Visa for a foreign worker, there is still plenty of time to do so. Remember, in order to qualify a foreign individual must have "highly specialized knowledge" and obtained a bachelor's degree or higher degree in a specific specialty or its equivalent. The Department of State defines the H-1B Visa as requiring the "theoretical and practical application of a body of highly specialized knowledge requiring completion of a specific course of higher education." Some occupation specialty areas include architecture, engineering, mathematics, sciences, health care, education, and various business specialties.

Please feel free to call me with your H-1B questions, or any other immigration related matters.