



EMAIL BULLETIN

U.S. CITIZENSHIP & IMMIGRATION SERVICES ANNOUNCES THE FISCAL YEAR 2006 ADVANCED DEGREE H-1B CAP-EXEMPT NUMBERS ARE EXHAUSTED

Petitions Received on January 17, 2006 To Be Awarded Numbers by Random Selection

24 January 2006

On January 18, 2006, U.S. Citizenship & Immigration Services (CIS) announced that the CIS had received enough H-1B petitions on behalf of individuals holding advanced U.S. degrees to fully exhaust the remainder of the 20,000 H-1B numbers exempt from the annual H-1B cap.

According to the CIS announcement, petitions received before January 17, 2006 will be adjudicated for an exempt number and presumably will be assured an H-1B number upon approval. Petitions received by the CIS on January 17, 2006 will be allotted numbers according to random selection until all numbers are fully awarded for approved H-1B petitions.

Beginning April 1, 2006, it will be possible to prepare and file H-1B nonimmigrant visa petitions seeking Fiscal Year 2007 (October 1, 2006 through September 30, 2007) H-1B numbers for individuals with Bachelors Degrees and equivalents as well as Masters Degrees and equivalents. Because the H-1B numbers for Fiscal Year 2007 are expected to be exhausted even earlier than last year, and much earlier than the beginning of the Fiscal Year on October 1, 2006, it is important for employers to plan now for filing H-1B petitions in early April 2006 for candidates to begin employment on October 1, 2006.

For more information on the H-1B cap and to initiate new cases for preparation and filing in early April in order to maximize the opportunity for one of the limited H-1B numbers to become available for next Fiscal Year, contact your Tindall & Foster immigration attorney *now*. Your Tindall & Foster immigration attorney will be happy to assist you in developing case strategy in advance so that both the employer and new hire candidate can begin collecting the required information and documentation to facilitate early filing.