



EMAIL BULLETIN

U.S. CITIZENSHIP & IMMIGRATION SERVICES (CIS) ANNOUNCES H-1B USAGE FOR FISCAL YEAR 2007

17 May 2006

Only 23,392 H-1B Visa Numbers Remain Available for Candidates with Bachelors Degrees or the Equivalent

On May 16, 2006, the CIS announced the current H-1B usage for Fiscal Year 2007. While demand appeared sluggish in April, as new graduates completed their degree programs in May, H-1B petition filings have increased markedly. The CIS has announced that, as of May 12, 2006, the CIS had received 34,808 H-1B petitions subject to the FY 2007 cap that do not qualify for an exemption based on the candidate's possession of an advanced degree from a U.S. institution.

The total number of H-1B numbers available for Fiscal Year 2007 is 65,000. However, 6,800 of these are set aside for citizens of Chile and Singapore, bringing the actual quota for most nationalities down to 58,200. This means that, as of May 12, the CIS estimates only 23,392 H-1B visas remain available for Fiscal Year 2007 for candidates that do not possess a U.S. advanced degree.

File H-1B Petitions Now

Employers should file all new H-1B petitions immediately, including those for F-1 student employees who are working pursuant to F-1 Optional Practical Training, even if these employees have several months of validity remaining on their Employment Authorization Documents (EAD). Failure to file early may result in the unavailability of H-1B numbers when the EAD cards expire, thereby leaving a gap in employment eligibility. Petitions for all other candidates who do not currently hold H-1B status should also be filed as soon as possible in order to maximize the opportunity to secure an H-1B number for H-1B employment beginning on October 1, 2006.

For more information concerning the H-1B cap, cap-exempt cases, and how to initiate the H-1B petitioning process, contact your Tindall & Foster Immigration Attorney now. Your Tindall & Foster attorney will be happy to assist you in developing an appropriate case strategy and will provide you with a list of all information and documentation needed to facilitate case preparation and filing.