

Companies prepare for H-1B scramble

Cap on applicants forces employers to act fast



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Qinwu Xu has been working as a project manager at Transtec Group for almost a year under a visa. He is originally from China.

Stacks of bins in the conference room at **Tindall & Foster PC** are a sure sign of spring.

Attorneys and staff members at the Austin office are shuffling through piles of visa applications from employers who hope their picks for engineers, architects and software developers are chosen by the federal immigration officials to work in the United States.

Managing Shareholder Robert Loughran expects a steady flow of applications until April 1 -- the day the government begins consideration of H-1B visas.

Immigrations officials will pick almost 65,000 people -- from teachers to physicists -- to come into the United States to work highly skilled jobs.

The limit, often criticized by businesses as too low, will result in a deluge of applications, and potential employees will be chosen by a lottery system.

Loughran began taking clients' applications in January. Staffers will check over every page minutely until the documents are mailed on March 31.

"For the most part, we are focused on crossing our T's and dotting our I's," he says. "The key concern is to make sure not a single box is checked incorrectly."

The process will be more hectic this year with a last-minute rule change that limits the number of applications per person.

Usually, companies will play the odds by submitting multiple applications and job descriptions for one person. That is not allowed this year.

The goal is to guarantee a fair shot to each of those who try for the highly coveted visas.

Congress has limited the number of visas to 65,000 since 2004. Another 20,000 H-1B visas are available for workers who have at least a U.S. master's degree.

21st District U.S. Rep. Lamar Smith, R-San Antonio, has filed legislation to return the cap to its previous levels of 195,000 for the next two years. The bill is pending in the House Judiciary Committee.

"American companies lead the world in developing new technology and high-tech innovation," Smith says. "But in order to remain competitive in the fast-paced, global economy, we must be sure to keep attracting and hiring the best workers."

Dan Rozycki, president of **Transtec Group**, supports raising the cap.

The government is cutting back the number of visas allowed while fewer qualified U.S. graduates are leaving universities, says Rozycki, whose Austin-based company works on road projects.

Last year, the visa crunch was severe, he says.

He missed his chance for H-1B visas by waiting one day too late. He is not seeking visas this year.

"When we went through the process last year, we sent ours in April 1," he says. "Even that was too late. We didn't realize how competitive it was going to be."

Loughran says companies that cannot rely on securing H-1B visas will move those positions overseas where no restrictions are in place.

"The more we build barriers and have unrealistic quotas, the faster we push projects offshore where there is unlimited labor," he says.