

BUSINESS IMMIGRATION ALERT

A complimentary service of the McCandlish Holton Immigration Practice Group

U.S. Citizenship and Immigration Services Announces Latest Numbers for Capped Fiscal Year 2012 H-1B Petitions

October 20, 2011

This week, U.S. Citizenship and Immigration Services (“USCIS”) announced that, as of October 14, 2011, it had received approximately 19,600 petitions counting against the Advanced Degree H-1B quota of 20,000 (for individuals who hold a master’s degree or higher from a U.S. university), and approximately 43,300 petitions counting against the “general” quota of 65,000 H-1Bs for individuals with a bachelor’s degree from a U.S. university or a bachelor’s or advanced degree from other countries. Employers seeking to employ new H-1B employees in FY 2012 (which began October 1st) should monitor this website or the [USCIS website](#) for updates on the status of the H-1B quotas.

The popular H-1B visa category is available to job seekers with an offer of employment in a position that requires at least a university degree to perform, and where the foreign worker holds a U.S. degree or the foreign equivalent in a field related to the position. To secure an H-1B number, an employer must file an H-1B petition with USCIS before the quota is reached. Once the FY 2012 quotas are exhausted, there will be no more new cap-eligible H-1B numbers available until October 1, 2012 (employers may begin filing on April 1, 2012 for effective dates on or after October 1, 2012). It is important to note that some employers are exempt from the quotas, as are most workers who already hold H-1B nonimmigrant status.

The H-1B general and master’s caps for fiscal year 2011 were reached on January 26, 2011; the caps for fiscal year 2010 were exhausted on December 21, 2009.

If you need assistance with an H-1B filing, please contact one of the McCandlish Holton immigration attorneys listed below.

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