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COUNSEL FOR CORPORATE IMMIGRATION



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News Brief

April 3, 2007

This is the latest installment in our efforts to keep you apprised of the rapidly changing U.S. immigration environment. Some of the most recent changes could have a serious impact on you or your employees, and we urge you to communicate these changes to interested parties.

FY 2008 H1B Cap Reached

USCIS has just announced that it received enough H-1B petitions on April 2, 2007 to reach the FY2008 H-1B cap. Reportedly, 150,000 petitions were received on April 2, the first day that H-1B petitions for FY2008 could be filed. All H-1B petitions received on April 2 and April 3 will be subjected to a computer-generated random selection process by which some petitions will be accepted and others rejected. Any cap-subject petitions received on or after April 4, 2007, will be rejected. It will be several weeks before we know whether a particular case filed on April 2 has been accepted or rejected.

It is not clear to USCIS whether the cap of 20,000 U.S. Master's degree cases has been reached, so we will continue to submit those cases until USCIS specifically announces that it will reject those cases as well. If you have an H-1B cap case pending with our office, please contact the attorney-of-record to discuss the specifics of your case.

This absurd situation clearly indicates that Congress simply must raise the H-1B cap to meet the legitimate business needs of U.S. employers. If your business has been adversely affected by the H-1B cap, we strongly urge you to ask your Congressional representatives to raise the H-1B cap to a reasonable level or eliminate it altogether.

If you have any questions or require additional information, please **contact us**.

Rosner Partners, Counsel for Corporate Immigration

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