

USCIS Is Still Accepting H-1B Petitions

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Yesterday, the U.S. Citizenship and Immigration Services (“USCIS”) announced that the annual cap of 65,000 new H-1B visas has not yet been met and that it is continuing to accept new H-1B petitions. To date, USCIS has only received approximately 42,000 petitions to be processed under the new H-1B cap, plus approximately 20,000 additional petitions filed under the special cap for foreign workers with an advanced degree from a U.S. academic institution.

If you have a potential candidate for a new H-1B visa, including a foreign national who will soon be completing an educational program at a U.S. college, it is not yet too late to consider filing an H-1B petition. We cannot predict how long it will take for USCIS to receive enough additional petitions to reach the H-1B cap, so we encourage you to begin the process for any new H-1B candidates as quickly as possible.

As a reminder, the annual cap of 65,000 petitions only applies to new H-1B visas, not to individuals who already hold H-1B status. Foreign nationals who work at universities and non-profit research organizations are excluded from the numerical cap.

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