



**December 14, 2009**

**Special Alert:**

**FY 2010 H-1B Quota May Be Reached Soon!**

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On December 10, 2009, United States Citizenship and Immigration Services (“USCIS”) reported receiving approximately 62,500 H-1B cap-subject petitions against the 65,000 available under the quota. This leaves only 2,500 left under this year’s quota. Taking into account the fact that some of these petitions may be denied, revoked, or withdrawn, the USCIS will continue to accept both cap-subject petitions and advanced degree petitions until a sufficient number of H-1B petitions have been received to reach the statutory limits.

Since the quota may be reached at any time, employers planning to file new H-1B petitions should do so immediately. H-1B petitions that miss this year’s quota cannot be re-filed until April 1, 2010, and cannot request a start date prior to October 1, 2010.

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