



January 5, 2011

Special Immigration Alert:

December 31, 2010, H-1B Cap Count

As of December 31, 2010, the U.S. Citizenship and Immigration Service ("USCIS") has confirmed the filing of approximately 57,300 H-1B cap-subject petitions for fiscal year 2011. USCIS also reported the filing of approximately 20,000 of the additional 20,000 H-1B cases reserved for holders of advanced U.S. degrees. This leaves room for approximately 7,700 new H-1B approvals under the 2011 "Regular" cap quota, and none under the 2011 "Masters" cap quota.

USCIS will continue to accept all eligible H-1B cases until a sufficient number of H-1B and H-1B1 petitions have been received to reach the statutory limits. Employers considering an H-1B petition for an existing or potential employee should prepare and file the petition as soon as possible.

For more information or questions regarding the above, please contact:

New York
[Robert S. Groban, Jr.](mailto:rgroban@ebglaw.com)
212/351-4689
rgroban@ebglaw.com

San Francisco
[Jang Im](mailto:jjim@ebglaw.com)
415/398-3500
jjim@ebglaw.com

New York
[Pierre Georges Bonnefil](mailto:pbonnefil@ebglaw.com)
212/351-4687
pbonnefil@ebglaw.com

Newark
[Patrick G. Brady](mailto:pbrady@ebglaw.com)
973/639-8261
pbrady@ebglaw.com

Houston
[Nelsy Gomez](mailto:ngomez@ebglaw.com)
713/750-3136
ngomez@ebglaw.com

ATLANTA • BOSTON • CHICAGO • HOUSTON • LOS ANGELES • MIAMI
NEW YORK • NEWARK • SAN FRANCISCO • STAMFORD • WASHINGTON, DC

www.ebglaw.com



This document has been provided for informational purposes only and is not intended and should not be construed to constitute legal advice. Please consult your attorneys in connection with any fact-specific situation under federal law and the applicable state or local laws that may impose additional obligations on you and your company.