



**Special Immigration Alert: H-1B Filings Approach Quota**

As of October 21, 2011, U.S. Citizenship and Immigration Services (USCIS) has received 46,200 petitions that count against the 65,000 H-1B Regular Cap, and 20,000 petitions that count against the 20,000 H-1B Master's Cap. This means that, as of October 21, 2011, all new petitions qualifying for the advanced degree exemption will be counted under the regular cap. USCIS will continue to accept new petitions until it has filled the H-1B Regular Cap.

We anticipate that the pace of H-1B submissions will quicken now that the 2012 cap door is closing. For this reason, we strongly advise employers to identify, and promptly file, any petitions subject to the H-1B Cap. This includes F-1 students working pursuant to optional practical training, as well as L-1B employees switching to H-1B status to extend authorized stay due to delays in the green card process. Any foreign national candidates who do not make it under the 2012 H-1B Cap may not be able to start work, or continue working, until October 1, 2012 – or later!

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