



### Special Immigration Alert: H-1B Filings Near Quota

As of November 14, 2011, U.S. Citizenship and Immigration Services (USCIS) has received 56,300 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.

As we anticipated, the pace of H-1B submissions has quickened 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!

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

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

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

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

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

**Houston**  
**Greta Ravitsky**  
713/300-3215  
[gravitsky@ebglaw.com](mailto:gravitsky@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. Attorney Advertising*

© 2011 Epstein Becker & Green, P.C.