



H-1B Cap Reached for FY 2011

Insights

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On January 27, 2011, the U.S. Citizenship and Immigration Services (USCIS) announced that it had received a sufficient number of H-1B petitions to reach the congressionally mandated cap for FY 2011. USCIS determined that January 26, 2011 is the "final receipt date" for new H-1B worker petitions requesting employment start dates before October 1, 2011. Petitions for extensions of stay or change of employer for workers who are currently in H-1B status do not count towards the H-1B cap and USCIS will continue to accept petitions for individuals in those categories.

USCIS will begin accepting H-1B petitions for FY 2012 on April 1, 2011. H-1B petitions approved for FY 2012 will be able to start working in that status no earlier than October 1, 2011.

Please contact one of the lawyers in the Global Immigration Practice Group to discuss options and requirements for employing foreign nationals.

This Global Immigration Alert is provided as an informational overview of this topic. It is not intended as, nor should it be construed as, legal advice for any particular fact situation.