

Friday, February 27, 2009

PREPARE YOUR H1-B VISAS NOW!

If you are considering hiring a foreign national who is a university graduate and this requires your sponsorship of an H1-B petition, please contact us immediately as these petitions have to be filed between April 1, 2009 and April 7, 2009 to ensure the greatest likelihood of success.

As discussed in previous Immigration News Updates, there are only a limited number of these H1-B visa numbers available, so failure to file during this initial one week period probably will result in a rejection of your application due to all the H1-B

visa numbers being allocated to those who file early. This "rush" does not apply to foreign nationals who already possess H1-B visas or if you come within one of the categories that are exempt from the need for an H1-B number.

Perhaps the only good news about our difficult economy is that the likelihood of obtaining an H1-B visa number this year, as compared to the last few years, should be significantly better. Fewer companies will be hiring. Some companies that sponsored many H1-B visas are no longer in business. Most significantly, many companies (especially large banks) will not be able to sponsor H1-B visas

because the government's stimulus package will make it very difficult or impossible for companies that receive TARP money to sponsor H1-B visas.

All of the above should result in a sharp decrease in the number of petitions being filed, and thus a greater likelihood of timely filed applications being selected. This is especially true for those foreign nationals who possess U.S. Masters Degrees who are eligible for a special 20,000 visa pool in addition to the regular 65,000 visa number pool established for university graduates.