



Thursday, March 20, 2008

On March 19, 2008, the USCIS announced an Interim Rule regarding H-1B visas.

The key provisions are listed below:

1. USCIS will now either deny or revoke multiple petitions filed by an employer for the same H-1B worker. An exception was created for multiple petitions filed separately by related companies for the same alien for different positions if they are based on a legitimate business need.

2. USCIS will not refund filing fees for duplicative or multiple H-1B petitions.

3. If more petitions are filed than there are H-1B visa numbers, any petition received during the first five business days (April 1 through April 7) will be included in the lottery selection. Last year, only petitions received on the first two days were included in the lottery.

4. If a petition incorrectly

indicates that it is exempt from any of the H-1B numerical limits, the petition will be denied if no H-1B visa numbers are available and the filing fees will not be returned.

If you'd like more information about this, please visit our website or contact us. If you're still considering filing an H-1B petition and have not already contacted us, please do so immediately.