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IMMIGRATION ALERT
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Dear Friends and Clients:

With the **April 1, 2009 filing date** approaching, time is running out to prepare the paperwork for **H-1B visa applications** for you or your prospective foreign employees **for an October 1, 2009 start date**.

Last year, **the H-1B cap of 65,000 visas was met in the first filing week**, with more than 163,000 petitions received by the United States Citizenship and Immigration Services (USCIS) in the first five days of the eligible filing period. If the number of petitions received exceeds the cap, USCIS then conducts a lottery process to select the petitions it will adjudicate. Given the current economic situation, your employees may have higher odds to be selected this year compared to previous years as fewer employers may apply.

With the start date looming for filing fiscal year (FY) 2010 H-1B visa petitions, many companies are racing to **accurately prepare the paperwork and gather the complete support documentation required by the USCIS for H-1B applications**. We do not want you to be left behind!

To be eligible for **H-1B status**, **valid for a maximum of six years**, the employer must demonstrate that the position is one requiring a **professional in a specialty occupation** and that the intended employee has the required qualifications and holds the equivalent of a **U.S. Bachelor's degree**.

In many cases, the person holds a foreign degree, which must be evaluated to meet the minimum requirements. If the candidate does not hold a university degree, an **educational equivalence** can be obtained **through a combination of education, specialized training or progressive work experience**. Three years of specialized work experience is generally considered equivalent to one year of college education. Minimum salary requirements must also be met.

Depending on each individual situation, there are also **some exemptions available**.

Specifically, 20,000 visas are reserved for holders of Master's degrees from U.S. universities, aside from the annual quota.

We remain at your entire disposal to answer any questions you may have and to assist you with **securing H-1B status for you or your foreign employee**. We will work with you to find solutions tailored to your needs.