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Plenty of H-1B Visas Still Available

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As of September 9, 2011, U.S. Citizenship and Immigration Services reports that only 32,200 petitions for H-1B visas have been received. The H-1B visa is a so-called “specialty occupation” visa that allows foreign nationals to work for American business in professional positions. A “professional” position is defined as one which requires, at a minimum, a four-year degree from a college or university. 65,000 new H-1B visas are available each year.

The start date for filing H-1B visa petitions is always April 1. We are now nearly six months beyond that date and have not yet reached the half-way mark, a clear indication that hiring by American employers has not picked up. In years gone by, the supply of H-1B visas would have been exhausted on April 1, the first day of filing. First-day demand has been as much as double or triple the number of visas actually available.

Not anymore. An additional 20,000 H-1B visas are available for individuals who have earned advanced degrees from U.S. colleges and universities. Interestingly, USCIS has received 16,700 H-1B petitions for individuals with advanced degrees. The fact that the 20,000 “advanced degree” H-1B visas will soon be used up hardly matters: advanced degree candidates can also tap into the more than 30,000 regular H-1B visas that will still be available. Although these visas were quickly used up in years gone by, H-1B visas will continue to be available for eligible foreign workers for the next few months.

Contact David McCauley at dpm@hawaiilawyer.com or at (808) 531-8031 for more information.

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