

Thursday, March 22, 2007

## Immigration Update: Deadline for New H-1B Petitions is March 29, 2007!

By Nancy-Jo Merritt

The H-1B quota for initial H-1B petitions for the U.S. 2008 Fiscal Year, which begins October 1st, 2007, is unchanged: 65,000 slots for the "open" category and 20,000 for petitions for candidates with a graduate degree from a U.S. university.

Last year the H-1B numbers in the "open category" were gone by May 25th; the U.S. graduate degree numbers lasted several months longer. This year the expectation is that the available time to successfully file H-1B petitions will be much shorter. Some, including USCIS, are concerned that H-1B numbers may be exhausted on April 2nd, the first available day for receipt by USCIS, because April 1st falls on Sunday. USCIS has announced a "lottery" procedure for petition approvals should it receive more petitions than allotted by the H quota on April 2nd.

We urge you to contact us as soon as possible if you are considering hiring a new graduate whose OPT work authorization will end in the summer of 2007, or if you have a new H-1B hire in mind. We will be filing client petitions for new H-1B hires on March 30th, as we are concerned about the availability of H numbers after April 2nd. Please contact any of the Fennemore Craig Immigration Group [listed below] if you are considering a new H-1B hire.

*Nancy-Jo Merritt focuses her practice in immigration law and has nearly three decades of experience representing domestic and international companies with issues concerning foreign national employees and business immigration matters. She provides strategic counseling to clients and assists employers in developing compliance programs. She earned her B.A., (1964) M.A., (1974) and J.D., (1978) from Arizona State University.*



Nancy-Jo Merritt  
Director  
602.916.5411  
nmerritt@fclaw.com

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Phoenix  
3003 N. Central Ave.  
Suite 2600  
Phoenix, AZ 85012-2913  
(602) 916-5000

Tucson  
One S. Church Ave.  
Suite 1000  
Tucson, AZ 85701-1627  
(520) 879-6800

Nogales  
420 W. Mariposa Rd.  
Suite 200  
Nogales, AZ 85621-1074  
(520) 281-3480

Las Vegas  
300 S. Fourth St.  
Suite 1400  
Las Vegas, NV 89101  
(702) 692-8000

Denver  
1700 Lincoln St.  
Suite 2930  
Denver, CO 80203  
(303) 291-3200