



USCIS Update

April 5, 2007

USCIS RELEASES PRELIMINARY NUMBER OF FY 2008 H-1B CAP FILINGS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) announced a preliminary number of filings today as the tallying of H-1B petitions received on April 2 and April 3 continues. On April 3, USCIS announced that it had received enough petitions to meet the congressionally mandated cap for fiscal year 2008 (FY 2008) and that it would conduct a computer-generated random selection of cap-subject petitions filed on Monday (April 2) and Tuesday (April 3) to determine which cases USCIS will accept for processing.

During Monday and Tuesday, USCIS received 133,000 unique pieces of mail containing H-1B petitions. This is lower than the original USCIS estimate of 150,000. USCIS based the initial estimate on amounts from manifests received along with the mail. USCIS reached the updated number following a physical count of the mail. Each piece of mail may contain more than one H-1B petition. It will take USCIS a substantial amount of time to open and sort through that volume of mail.

As of Wednesday, 28,052 of the cases sorted are H-1B petitions subject to FY 2008 congressionally mandated cap. Four thousand, seven hundred three (4,703) cases are exempt from the FY 2008 H-1B cap as employers filed those petitions for aliens holding a master's degree or higher from a U.S. institution.

USCIS will provide regular updates as the processing of FY 2008 H-1B cap cases continues.

H-1B in General: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers or computer programmers. As part of the H-1B program, the Department of Homeland Security (DHS) and the Department of Labor (DOL) require U.S. employers to meet specific labor conditions to ensure that American workers are not adversely impacted, while DOL's Wage and Hour Division safeguards the treatment and compensation of H-1B workers.

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