

ALERTS

Immigration Update: H-1B Visa Petitions for 2016 Fiscal Year

01.12.2015

In preparation of the upcoming filing period for H-1B visa petitions for the Fiscal Year of 2016 we at Moore & Van Allen are sending this update to remind you of this upcoming event.

USCIS will allow employers to submit cap subject H-1B visa petitions as of April 1, 2015 for a start date of October 1, 2015. Cap subject petitions are for foreign nationals who currently do not hold H-1B status, which includes recently graduated F-1 students or workers abroad who are seeking initial employment in the U.S. This cap does not impact current H-1B status holders seeking extensions of status or changes, such as a transfer to a new employer.

The H-1B cap for the Fiscal Year of 2016 is set at 65,000, with an additional 20,000 visas available for individuals who have earned a master's degree or higher from an accredited U.S. educational institution. Once these caps have been reached employers will be unable to file new cap-subject H-1B petitions until April 1, 2016.

Last year USCIS received enough H-1B petitions to meet their cap within the first week of the filing period, therefore we strongly encourage employers to start planning now for their H-1B cap season needs. Advance preparation is crucial to ensuring a complete petition is ready for filing with USCIS on April 1st.

Please contact an MVA team member as soon as possible to discuss any potential H-1B applicants you may have.