



FYI 2018 H-1B Cap Season Begins April 3, 2017

The H-1B employment visa is limited to 65,000 new visa applications per year, called the H-1B Cap. The soonest an employer may file an H-1B petition is April 3, for an October 1, start date. We begin the H-1B petition preparation process in January for the coming April 1 filing. Last year the H-1B cap was reached on April 1. To find out more about the H-1B visa please visit our [website](#).

As each H-1B Cap is reached (65,000 Bachelor's Degree Cap and 20,000 U.S. Master's Degree Cap) there is a lottery for the remaining petitions. Approximately, 33% of employers had their H-1B petitions returned. There is no way of knowing how many petitions will be filed this H-1B Cap Season, however, we anticipate that even more petitions may be filed this year than last year.

We ask companies to evaluate their H-1B needs and notify us as soon as possible. Please, do not wait to the last minute. The H-1B petition has specific requirements that must be met and often additional documentation must be obtained. In order to file an H-1B petition a specific professional employee is identified for a specialty occupation. The H-1B petitions cannot be filed, with a name to be entered at a later date.

The H-1B positions offered to foreign national employees require attestations regarding, job duties, worksite, wage, technologies, source code, and technical data made available to the employee. Start-ups, small businesses, and consulting companies require additional documentation above the standard H-1B petition. Let us guide you to ensure your petition will be successful!

We expect the H-1B Bachelor's and U.S. Master's Cap to be reached within the first 5 business days of April. We advise you to act as if April 1st is the "must file" date and start early. We need at least five working days in order to prepare and obtain a certified Labor Condition Application (LCA) from the Department of Labor (DOL) before we can file the H-1B petition. Towards April 1st the DOL gets extremely busy and the timeframe for an approved LCA has been longer.

Our goal is to give you the best service possible. Look at employees who are on F-1 (student practical trainees) who need an H-1B to continue working with you, résumés of persons who are currently going through the hiring process, and persons who were not able to make it under last year's H-1B cap and contact us now.

Should you have any questions about this, please do not hesitate to contact our office at 650-588-7100 or email [Kim Salvador](#).

Thank you,
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