

## Update on H-1B Cap Count for Fiscal Year 2012

November 30, 2011

By [Leigh N. Ganchan](#) and [Andrew W. Merrills](#)

On November 23, 2011, U.S. Citizenship and Immigration Services (USCIS) announced that, as of November 22, 2011, it has received enough H-1B cap-subject petitions to reach the annual 65,000 “regular cap.” As we reported in the October 2011 issue of the *Immigration eAuthority*, USCIS previously confirmed that it had exhausted the 20,000 cap for foreign nationals with U.S.-earned advanced degrees. USCIS has stated that it will reject cap-subject petitions (for new H-1B visas requesting an employment start date in FY 2012) that are received after November 22, 2011.

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For employers with cases that did not make the cap, Ogletree Deakins will be in touch with you to explore alternative options.

### AUTHORS



[Leigh N. Ganchan](#)

Shareholder, [Houston](#)



Andrew W. Merrills

Shareholder, [Raleigh](#)

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