

**U.S. CITIZENSHIP & IMMIGRATION SERVICES TO RELEASE GUIDANCE
REGARDING H-1B PETITIONS**

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by
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As readers of www.longchangoonline.com know, the Omnibus Appropriations Act for Fiscal Year 2005 created a new exemption from the H-1B 65,000 cap for persons with Masters Degrees (or higher) from U.S. Universities. However, while the applicable provisions of that Act are effective as of March 9, 2005, the USCIS has advised that employers who wish to hire a worker benefiting from this provision should not file the H-1B petition until the USCIS publishes further guidance in the Federal Register on the above-referenced Act. USCIS further advises that any H-1B petition using this provision filed in advance of the publication of the guidance in the Federal Register will be rejected. For additional information on H-1B Visas and Petitions, please see our earlier articles on this topic at www.longchangoonline.com/Articles.asp.

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