



# Your 2018 H-1B Cap Survival Guide: New Administration, New Adjudications

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William A. Stock  
Partner

Bill Stock is a founding partner of Klasko Immigration Law Partners, LLP and has been providing immigration assistance and solutions to leading multinational corporations, universities, research institutions, hospitals, and individuals for nearly 20 years.

In 2017, Bill completed his term as President of the American Immigration Lawyers Association (AILA), the 14,500 member national organization of immigration lawyers. He has long been active in the association on both a national and state level and has served several terms on the Association's Board of Governors. In 2000, he received the Association's Joseph Minsky Award for outstanding accomplishments in immigration law.

Bill is featured in *Chambers Global*, *Best Lawyers in America*, *Pennsylvania Super Lawyers*, *Who's Who of Business Lawyers* and other guides to prominent attorneys.

A graduate of the University of Minnesota Law School, Bill is a frequent author and lecturer on business-related immigration topics and has served as an Adjunct Faculty Member at Villanova University School of Law.





**Michele G. Madera**  
Partner

Michele G. Madera is a Partner in the Firm's Philadelphia office. Her practice is focused on employment-based non-immigrant and immigrant matters for large corporations with a high volume of immigration matters.

Michele has extensive experience advising clients throughout the labor certification process, including the recruitment process, filing the Form ETA 9089, and responding to Audit Requests by the Department of Labor.

She also has worked with clients in the preparation of B-1 Business Visitor applications, the following petitions: H-1B, E-3, H-3, L-1A, I-140s for EB-1, EB-2 and EB-3 classifications, adjustment of status applications, Re-entry Permit applications, and Motions to Reopen.

Michele has also advised her clients and assisted in responses to Requests for Evidence. She works with employers in assessing new job opportunities for employees to determine the effect of the change on non-immigrant and immigrant matters. Michele has represented clients before U.S. Citizenship and Immigration Services, U.S. Department of Labor, and U.S. Customs and Border Protection.



**Feige M. Grundman**  
Associate

Feige M. Grundman is a Senior Associate in the Firm's Philadelphia office. Feige's practice includes the representation of Fortune 500, multinational, and private companies with high volume employment based non-immigrant and immigrant visa matters

She has significant experience advising clients on PERM applications and denials, strategies for employing foreign nationals, I-9 compliance, worksite enforcement, and E-Verify compliance. She frequently represents companies before the U.S. Department of State, U.S. Department of Labor, and the U.S. Department of Homeland Security. Feige also prepares filings for individuals seeking to invest in the United States via various visa programs, and counsels those facing 221(g) issues at U.S. Consulates. She also provides pro bono legal counsel to the Adoptee Rights Campaign and assists in lobbying efforts towards obtaining citizenship for all adoptees.

A member of the Pennsylvania, New Jersey and Florida Bars, Feige is an active member of the American Immigration Lawyers Association. She is a past Board member of the Support Center for Child Advocates and served as an Executive Committee Liaison to the Philadelphia Bar Association's Young Lawyers Division.





## What's Staying the Same

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- Filing deadline
- Need to identify people in January
- Master's cap and regular cap numbers
- Lottery process if quota is reached
- Exemptions from the cap



## Anticipating Issues for 2018 Filings

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- Specialty occupations
- LCA category
- LCA wage level
- Problem occupations





## Identifying 2018 Cap Cases

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- Need to identify/prepare cases early
  - Consider multiple filings
- OPT
- L-1B and TN
- H-4 EAD
- DACA/TPS/Other



## Strategic Advice

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- Skinny filing vs. anticipating RFEs
- Set expectations with managers
- Consider backup plans
- Review hiring policy/onboarding



## What the Future Might Hold

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- H-4EAD and OPT limits
- Specialty occupation
- Pre-registration regulation
- Employer/Employee definition
- AC-21 extensions

## Questions?

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