

Applying for H-1B Visas Like Standing on Thin Ice

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April 26, 2019 | **IMMIGRATION**

Participating in the H-1B visa process is like walking out on a frozen lake and waiting to see if the ice is too thin, despite all appearances that you're on solid ground. H-1B visa petitioners and their intended foreign national employees are currently in that no-man's-land of waiting eagerly and hopefully for word on whether their applications have been selected for adjudication this year--and then, whether they will have to meet requests for additional evidence that are often nonsensical, apply or shift policy arbitrarily and/or do not conform to the regulatory standard for adjudication. In the meantime, petitioners and their beneficiaries are left standing out in the cold.

Hopefully, the new electronic registration system will at least make getting onto the ice a little bit smoother next year. It remains to be seen what new cracks in the ice the USCIS will create this year, though, in its attempt to keep people from getting to the other side of this arduous process.

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