

H-1B Employees Should Not Face Arrest While Extension Pending

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Late last week, the Legal Action Center of the American Immigration Council (LAC), together with the American Immigration Lawyers Association (AILA), filed an [amicus brief](#) [1] arguing that an H-1B employee should not face arrest, detention or deportation after his initial period of admission expires if a pending extension request remains under review. The brief, filed in federal district court in Connecticut, maintains that H-1B employers who follow the law should not lose valuable employees because of widespread delays at immigration processing centers. "Both existing law and common sense dictate that the government cannot sit on an employer's H-1B extension request and then arrest the employee due to its own processing delays," said Melissa Crow, director of the Legal Action Center.

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Links:

[1] <http://www.legalactioncenter.org/sites/default/files/docs/lac/Badrawi-amicus-brief.pdf>

[2] http://www.americanimmigrationcouncil.org/sites/default/files/docs/H-1B-Employees-11-8-10_0.pdf