

Global Immigration alert

February 2025

United States

USCIS announces FY 2026 H-1B Cap registration period

Executive summary

U.S. Citizenship and Immigration Services (USCIS) has announced that the initial registration period for the fiscal year (FY) 2026 H-1B Cap will run from 7 to 24 March 2025. During this period, prospective petitioners and representatives will be able to complete and submit registrations using the agency's online H-1B registration system.

Background and analysis

On 5 February, USCIS announced that it will open the H-1B Cap registration period for FY 2026 on Friday, 7 March 2025 at 12pm EST, and will permit the submission of registrations through to 12pm EST on Monday, 24 March.

Prospective H-1B cap-subject petitioners must first submit the electronic registration and pay the required \$215 fee for each beneficiary using a myUSCIS online account during the registration period. For H-1B petitioning employers who previously held an H-1B registrant account for FY 2021 to FY 2024 but did not use the account for FY 2025, the existing account will be automatically converted into organization accounts upon their next login. New petitioning employers must create an organization account before they can submit H-1B registrations, which can be created at any time through to the 24 March deadline.

For FY 2026, the H-1B registration fee has increased to \$215 per beneficiary, up \$10 from the prior year. The fee increase was announced in FY 2025, as part of a broader USCIS initiative aimed at improving processing times and covering increasing administrative costs.

USCIS will continue to use a beneficiary-centric H-1B lottery selection process that was put in place in FY 2025. Under the beneficiary-centric selection system, the random selection process is based on each unique beneficiary identified in the registration pool, as opposed to individual employer registrations.

Prospective petitioners or representatives will be able to draft, edit, and sign cap registrations prior to final payment and submission. However, registrations cannot be submitted until 7 March. All H-1B cap registrations for FY 2026 must be submitted by 24 March.

Additionally, USCIS has introduced several improvements to organizational and representative accounts to streamline the H-1B registration and filing process:

- ▶ Paralegals can now work with multiple legal representatives and prepare H-1B registrations and petitions within a single account.
- ▶ Legal representatives can easily add paralegals to their company clients.
- ▶ Certain fields in Form I-129 will pre-populate from selected H-1B registrations.
- ▶ There will be an option to prepare a spreadsheet of H-1B beneficiary information and upload the data into the system to pre-populate H-1B registration fields.

These enhancements will be live before the initial registration period begins on 7 March.

What this means

If USCIS receives enough registrations by 24 March, the agency will conduct a random lottery and send selection

notifications via users' myUSCIS online accounts. In the unlikely event that USCIS does not receive enough registrations to meet the congressionally-mandated annual 85,000 cap, all registrations for unique beneficiaries that were properly submitted in the initial registration period will be selected.

USCIS intends to conduct the selection process and notify prospective petitioners and representatives by 31 March. If selected, a petitioner is eligible to file an H-1B cap-subject petition during the associated filing period, which will be reflected on the selection notice from USCIS.

The petition filing period for the FY 2026 H-1B cap has not yet been announced. Based on prior years, it is expected that USCIS will start accepting H-1B cap petitions for selected beneficiaries on 1 April with a filing window of up to 90 days.

We will continue to monitor and share future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.

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