



LEHR MIDDLEBROOKS
VREELAND & THOMPSON, P.C.

LABOR • EMPLOYMENT • IMMIGRATION

March 10, 2025

H-1B Registration Season Is Now Open

The registration period for the fiscal year 2026 H-1B lottery to allocate the limited number of coveted H-1B specialty occupation visas available each fiscal year (i.e., the Cap) opened at Noon on Friday, March 7th. The registration period will close at Noon (EDT) on March 24, 2025. During this window, employers can register prospective H-1B beneficiaries with the U.S. Citizenship and Immigration Services (USCIS) for the H-1B selection process, i.e. “lottery”. Only basic biographical and demographic information is required for the H-1B lottery. Unlike prior years, when the registration filing fee was a nominal \$10.00, the filing fee has increased to \$215.00 per prospective beneficiary for Fiscal Year 2026.

The lottery registration can be made at any time during the window although we certainly counsel against waiting until the final day or the final couple of days. For the 2025 fiscal year, approximately 30% of registrations were selected. We do not anticipate the filing fee increase to meaningfully reduce the number of H-1B lottery registrations. Petitioning employers will be notified on or around March 31, 2025, whether an H-1B registration was selected in the lottery and will have until June 30, 2025, to file the H-1B petition. It is typical for USCIS to conduct a second and third drawing later in the year for unused registrations, although the selection rate is significantly lower for the subsequent drawings.

Employers should carefully evaluate whether they have foreign national employees or candidates who might benefit from an H-1B visa over the next several years. If there is a possibility that the candidate might continue to be employed in the future and require the H-1B for continued employment authorization, we recommend a lottery submission to ascertain whether an H-1B is available. For example, if an employee is currently working on an EAD conducting Optional Practical Training, we recommend an H-1B lottery submission in the first year even though the employee might have multiple years of OPT available in some circumstances. Similarly, if a candidate might need to change status from another nonimmigrant category (e.g., from an L-1B visa to gain an additional year of status) to H-1B at some point in the future, we recommend filing as early as possible to maximize lottery chances.

Not all employers are subject to the cap. Colleges and universities are generally exempt from the H-1B cap. Similarly, not for profit entities associated with such colleges and universities are also exempt from the H-1B cap. As such, H-1B visas are available to these qualifying entities throughout the year without being subject to the lottery process.

If you have any questions or would like additional information, please contact Mike Thompson at 205-323-9278 or mthompson@lehrmiddlebrooks.com.