

USCIS Announces New Online Registration for H-1B Lottery

U.S. Citizenship and Immigration Services (USCIS) announced on December 6, 2019, that it has completed testing and will implement a new online registration process for the upcoming H-1B cap-subject visa season that begins on March 1, 2020. The H-1B visa is used extensively by tech industry companies to fill their need for employees with advanced education and technical expertise.

Over the past several years, companies filing H-1B cap-subject petitions for high-skilled foreign workers were required to submit full and complete filings to USCIS during the first week of April. Typically, USCIS would receive two-to-three times more petitions than there were new H-1B visas available under the annual cap of 85,000. USCIS would then conduct a random lottery to determine which submitted petitions would be selected for the 85,000 available visas. Any petitions not selected under the lottery would subsequently be returned to the petitioning company.

With the new online registration system, petitioners must submit electronically a simple registration form and pay a \$10 fee for each prospective H-1B worker to be entered into the H-1B lottery. This submission must be made during the registration period of March 1 through March 20, 2020. USCIS will then run the random lottery process on these registrations by March 31. For those registrants selected in the lottery, a full and complete H-1B filing must be submitted to USCIS after notice of the lottery results.

More details are expected to be published in the Federal Register in the coming weeks to announce the implementation of the H-1B registration system and provide additional details on the process. Perkins Coie will monitor the Federal Register and provide more details as they become available.

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