

H-1B REGISTRATION FOR FISCAL YEAR 2025

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USCIS will soon announce the opening of the H-1B Lottery. Therefore, employers should begin reviewing their H-1B needs for the Fiscal Year (FY) 2025 cap season. The employers most likely to need the H-1B are those employing individuals in F1 OPT or L-1 status.

All new H-1B petitions are subject to an annual cap of 85,000, with 20,000 of those reserved for individuals holding advanced degrees (master's degree or higher) from accredited U.S. universities. Employers seeking to file H-1B cap-subject petitions for current or prospective employees must first electronically register and pay the associated H-1B registration fee for each prospective beneficiary. Under this process, employers and their authorized representatives will complete a registration that will require basic information about their company and each requested H-1B worker. The initial registration period is open for a minimum of 14 calendar days beginning in early March. Once the registration period has closed, USCIS will run a random selection from those electronic registrations. Only those with selected registrations will be eligible to file H-1B cap-subject petitions within 90 days of selection.

Upon completion of the random selection process, USCIS will notify all employers with selected registrations, and only those with selected registrations will be eligible to file an H-1B petition for the FY2025 cap, with an effective date of October 1, 2024. USCIS will keep the unselected registrations on reserve. If USCIS does not receive enough H-1B cap petitions to meet the quota during the initial filing period, a second selection will be conducted. USCIS will notify selected employers and their immigration counsel of the results of a second random selection.

Employers should begin assessing their FY2025 H-1B and identify current and potential foreign national employees that may require H-1B status. Hodgson Russ's immigration team is prepared to help employers navigate and prepare for this year's H-1B cap season.

If you have any questions or concerns about this year's H-1B process, please contact [Chelsea N. Latta](#) (716.848.1526), [David J. Wilks](#) (585.613.3942), or any other member of our [Immigration Practice](#).

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