

USCIS Implements H-1B Registration for Next Year's H-1B Lottery

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The U.S. Citizenship and Immigration Service (USCIS), after publishing [the final rule for a new H-1B lottery process](#) in January 2019 has announced that the testing period is now over for the registration process in relation to the H-1B lottery and implementation will go into effect for the fiscal year 2021 H-1B cap. [See the USCIS press release here.](#)

Employers who wish to file H-1B cap-subject petitions for their employees must pay a \$10 registration fee to register each employee it wishes to place in the lottery. This process is designed to streamline and reduce paper waste that had been the practice for so many years, and instead have the employer or their authorized representatives complete a registration process that will only need basic information about the company and the employee.

The initial registration period will open from March 1 through March 20, 2020. During this period, the electronic registration must be submitted by the employer or its authorized representative. If the number of registrations exceeds the H-1B numerical allocation, a lottery will be conducted between March 20 and March 31, 2020. Only those petitioners with the selected registration, with the specific prospective candidate, will be able to file a cap-subject petition for only that candidate. Note that the H-1B petition will still need to be adjudicated on its merits. Duplicate registrations by the same employer for the same employee will be discarded.

The Department of Homeland Security plans to publish a notice in the Federal Register in the next few weeks to formally announce the implementation of this process.

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National Law Review, Volume IX, Number 341

Source URL: <https://natlawreview.com/article/uscis-implements-h-1b-registration-next-year-s-h-1b-lottery>