

USCIS: Substantial Increase in H-1B Registrations for FY 2024 May Indicate Potential Fraud

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USCIS has announced that the total number of eligible registrations submitted for FY 2024 was 758,994 (up from 474,421 eligible registrations submitted for FY 2023). Of the 758,994 eligible registrations submitted, USCIS said it made 110,791 selections to fill the 85,000 available H-1B visa slots.

The significant increase in submitted registrations yielded a relatively low average selection rate of approximately 14.6%. USCIS has indicated that they suspect the significant increase could be due in part to multiple employers submitting registrations on behalf of a single beneficiary (408,891 eligible registrations accounted for beneficiaries with multiple eligible registrations). This raised concerns within USCIS that some companies and individuals may have unfairly attempted to increase their chances of selection in the lottery. As a result, USCIS [has indicated](#) that they are initiating investigations into potential fraud.

The Wall Street Journal confirmed that USCIS has accused several small technology firms of colluding to increase the chances of their foreign hires being selected in the lottery. The article [notes](#):

Though it isn't technically illegal for a foreign worker to have multiple companies submit visa applications on their behalf, companies submitting applications must attest that they have a real job for the employee in question if they win a visa. If companies that win a visa then quickly contract an employee out to third parties, or lay off an employee on the visa so he or she can switch companies, that could potentially amount to fraud.

For those companies that may have colluded to engage in the fraudulent practices noted above, USCIS reports that it has begun initiating referrals to federal law-enforcement agencies for potential criminal prosecution. USCIS [also said](#) the agency will deem registrations submitted under such pretenses to be improperly submitted (effectively rejecting these registrations and preventing prospective employers from being able to file a petition based on that registration).

While potential registration rejections seem imminent, whether USCIS will conduct a second lottery for FY 2024 H-1B visas thereafter is unknown. Further, USCIS may decide that changes to the registration process are needed to prevent such fraud from occurring again.

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