FY 2025 H-1B Cap Registration Process Update

As we <u>announced</u> on April 1, 2024, we received enough electronic registrations during the initial registration period to reach the fiscal year 2025 H-1B numerical allocations (H-1B cap), including the advanced degree exemption, also known as the master's cap.

We selected 114,017 beneficiaries, resulting in 120,603 selected registrations in the initial selection for the FY 2025 H-1B cap.

We subsequently <u>announced</u> that we would need to select additional registrations for unique beneficiaries to reach the FY 2025 regular cap numerical allocations. As <u>announced</u> on August 5, 2024, our projections indicate we have now randomly selected a sufficient number of registrations for unique beneficiaries as needed to reach the regular cap from the remaining properly submitted FY 2025 registrations. Additionally, we have notified all prospective petitioners with selected registrations from this round of selection that they are eligible to file an H-1B cap-subject petition for the beneficiary named in the applicable selected registration. We selected 13,607 beneficiaries in the second selection for the FY 2025 H-1B regular cap, resulting in 14,534 selected registrations.

During the registration period for the FY 2025 H-1B cap, we saw a significant decrease in the total number of registrations submitted compared to FY 2024, including a decrease in the number of registrations submitted on behalf of beneficiaries with multiple registrations.

- The number of unique beneficiaries this year for FY 2025 (approximately 442,000) was comparable to the number last year for FY 2024 (approximately 446,000).
- The number of unique employers this year for FY 2025 (approximately 52,700) was also comparable to the number last year for FY 2024 (approximately 52,000).
- The number of eligible registrations, however, was down dramatically for FY 2025 (470,342) compared with FY 2024 (758,994) a 38.6% reduction.
- Overall, we saw an average of 1.06 registrations per beneficiary this year in FY 2025, compared to 1.70 for FY 2024.

This chart shows registration and selection numbers for fiscal years 2021-2025 (as of April 12, 2024):

Cap Fiscal Year	Total Registrations	Eligible Registrations*	Eligible Registrations for Beneficiaries with No Other Eligible Registrations	th Bende		ble istrations for eficiaries with tiple Eligible istrations	Selected Registrations
2021		274,237	269,424	241,299		28,125	124,415
2022		308,613	301,447	211,304		90,143	131,924
2023		483,927	474,421	309,241		165,180	127,600
2024		780,884	758,994	350,103		408,891	188,400**
2025		479,953	470,342	423,028		47,314	135,137***

^{*}The count of eligible registrations excludes duplicate registrations, those deleted by the prospective employer prior to the close of the registration period, and those with failed payments.

Measures to Combat Fraud in the Registration Process

The initial data for the registration period for the FY 2025 H-1B cap indicates that there were far fewer attempts to gain an unfair advantage than in prior years, owing in large measure to our implementation of the beneficiary-centric selection process under the final rule on Improving the H-1B Registration Selection Process and Program Integrity.

^{**}The number of initial selections for FY 2024 – 110, 791 – was smaller than in prior years primarily due to (a) establishing a higher anticipated petition filing rate by selected registrants based on prior years; and (b) higher projected Department of State approvals of H-1B1 visas, which count against the H-1B cap.

^{***}The number of initial selections for FY 2025 – 120,603 – was smaller than in prior years primarily due to establishing a higher anticipated petition filing rate based on the beneficiary-centric selection process (i.e. selection by unique beneficiary). USCIS selected the number of unique beneficiaries projected as needed to reach the congressionally mandated caps and exemptions. All properly submitted registrations for those beneficiaries that were selected were set to a selected status. Accordingly, the number of selected registrations was higher than the number of selected beneficiaries and this number is not completely comparable to prior years that used a direct registration selection method.

We remain committed to deterring and preventing abuse of the H-1B registration process, and to ensuring that only those who follow the law are eligible to file an H-1B cap petition.

We remind the public that at the time each registration is submitted, each prospective petitioner is required to sign an attestation, under penalty of perjury, that:

- All the information contained in the registration submission is complete, true, and correct;
- The registrations reflect a legitimate job offer; and
- The registrant, or the organization for whom the registration is submitted, has not worked with, or agreed to work with, another registrant, petitioner, agent, or other individual or entity to submit a registration to unfairly increase chances of selection for the beneficiary or beneficiaries in this submission.

If we find that this attestation was not true and correct, we will find the registration to not be properly submitted and the prospective petitioner would not be eligible to file a petition based on that registration. We may deny a petition, or revoke a petition approval, based on a registration that contained a false attestation and was therefore not properly submitted.

Furthermore, we may also refer the individual or entity who submitted a false attestation to appropriate federal law enforcement agencies for investigation and further action, as appropriate.

Based on evidence from the FY 2023 and FY 2024 H-1B cap seasons, we have undertaken extensive fraud investigations, denied and revoked petitions accordingly, and continue to make law enforcement referrals for criminal prosecution. We are also reviewing the FY 2025 data for any attempts to gain an unfair advantage through the beneficiary-centric selection process. If applicable, we will deny or revoke any petitions and make law enforcement referrals for criminal prosecution accordingly.

We believe that the decreased filing rate for FY 2024 H-1B cap petitions and the decreased registration numbers for FY 2025 are indicative that these investigations and the beneficiary-centric selection process have been effective integrity measures.

The H-1B program is an essential part of our nation's immigration system and our economy, and we are committed to implementing the law and helping meet the ever-changing needs of the U.S. labor market.

You can report suspected immigration benefit fraud and abuse to USCIS through our <u>online tip</u> <u>form</u>.

For more information about the H-1B program, visit our H-1B Specialty Occupations webpage.