

USCIS Announces H-1B Registration Period for March 2021 H-1B Cap

February 08, 2021 | Alert | By [William L. Coffman](#)

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On Friday, February 5, 2021, US Citizenship and Immigration Services (USCIS) announced that the online registration period for H-1B quota selection for Fiscal Year 2022 will begin on March 9 at 12:00 pm (noon) eastern standard time and run through 12:00 pm (noon) eastern standard time on March 25. The FY2022 H-1B quota is for H-1B registrations and petitions filed to USCIS in the spring of 2021, with a start date of October 1, 2021 or later.

As we updated in our [alert](#) last week, the USCIS wage-weighted quota selection rule has been delayed until the end of this year. This regulation would have given preference to those H-1B registrations where the employer would pay the highest wages as determined by the Department of Labor's four-tiered wage system. Therefore, the registration system for this year is expected to be similar to last year's H-1B registration. Registrations will be submitted electronically and will require a non-refundable \$10 registration fee. Assuming that USCIS receives more registrations than the allotted number of 85,000 available H-1B petitions, USCIS will conduct a computer-generated lottery among all registrations. USCIS has confirmed that notifications of selected registrations will be available by March 31. Employers with selected cases will then be eligible to file an H-1B petition within a designated 90-day period following registration selection. As mentioned above, approved H-1B petitions will be effective on October 1, 2021 or later — the start of the government's 2022 fiscal year.

For more details regarding the USCIS lottery selection and notification process, please see our [March 2020 alert](#).

Mintz will provide more information about this process as soon as it becomes available. Mintz will also provide detailed instructions to our clients on accessing an existing account or creating a new employer account for H-1B registration.

Authors



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William L. Coffman focuses on immigration and nationality law at Mintz. He represents clients on immigration matters before the US Citizenship and Immigration Services, the Department of Labor, and US and foreign consulates.

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