



## Immigration Update

February 2026

### Fiscal Year 2027 H-1B Lottery

U.S. Citizenship and Immigration Services (USCIS) announced that the initial registration period for the fiscal year 2027 H-1B cap will open at **noon Eastern on March 4** and run through **noon Eastern on March 19, 2026**.

#### Registration Process and Fee

If an employer wants to apply for an H-1B visa for a foreign worker, there are a few steps to follow. First, employers and their attorneys need to create accounts on myUSCIS.gov to participate in this process. Then the employer must register electronically and **pay a \$215 fee** for each person being registered. This fee is nonrefundable and must be paid online through the pay.gov portal. It is separate from the fees that will need to be paid later if the registration is selected in the H-1B lottery.

#### Information Required for Registration Includes:

- Employer's name, federal identification number, and address
- Employer's representative contact details
- Employer's attorney information
- Foreign worker's full name, date of birth, country of birth, country of citizenship, gender, and passport number
- Whether the foreign worker has a master's degree from a U.S. higher education institution
- Foreign worker's wage level information (wage level I, II, III or IV); the wage level will depend on occupational classification for the proposed H-1B role, worksite address, and offered wage

#### Weighted Selection Process

USCIS has finalized a new selection process for the fiscal year 2027 H-1B cap lottery. Under the new rules, the lottery will no longer be completely random. Instead, registrations for jobs with higher wage levels will have a better chance of being selected than those with lower wage levels. The government groups salaries for each job and location into four wage levels, from lowest to highest. Wage level one is typically tied to entry-level positions, while wage level four is for senior-level positions (although requiring only five years of experience places a worker in most occupations at level four). As a result, the salary offered for a position could affect the odds of being selected.

#### How to Prepare

- Ensure your company has an H-1B registration account set up with USCIS and that the login information is known to the person who will facilitate the registration.
- In order to evaluate eligibility and wage level, gather the following items that would need to be considered for each candidate for whom the company is considering an H-1B registration: copy of current work authorization (if the candidate is currently working for the company), job description for the proposed H-1B role, worksite address, resume of the H-1B candidate, copy of the degree held by the H-1B candidate, and the proposed salary to be in place on October 1, 2026.
- Contact your immigration attorney with any questions or to discuss your company's strategy.

**FOR MORE INFORMATION**

For more information, please contact:



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