

## H-1B Cap Lottery for FY 2026: What You Need to Know

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Corporations and companies looking to bring in new professional talent from overseas may want to utilize the H-1B Visa Category, which covers those positions that would normally require a Bachelor's Degree. If your company is interested in these hires, they must prepare to act very soon. There is a lottery to get a visa in this category and there is more demand than visas available.

The H-1B cap lottery for Fiscal Year (FY) 2026 is fast approaching and there are several important updates that employers and applicants need to be aware of. The U.S. Citizenship and Immigration Services (USCIS) has introduced changes that impact registration fees, petition forms, and eligibility criteria. Here's a detailed guide on what to expect and how to prepare for the upcoming lottery.

### **Key Changes for H-1B FY 2026**

#### **1. Increased H-1B Registration Fee**

One of the most significant updates for the FY 2026 H-1B lottery is the registration fee increase from \$10 to **\$215 per applicant**. This change is intended to cover USCIS administrative costs and applies to all registrants, regardless of whether they are selected in the lottery.

#### **2. New I-129 Form Requirement**

USCIS has updated the I-129 petition form, which is required for all H-1B applicants. Employers must ensure they use the latest version of the form to avoid processing delays or rejection.

#### **3. Revised Definition of "Specialty Occupation"**

To qualify for an H-1B Visa, the position must be classified as a specialty occupation. For FY 2026, USCIS has tightened the criteria, requiring employers to provide detailed evidence that the role requires a degree in a specific field of study and that the degree is directly related to the job's responsibilities.

### **H-1B Lottery Timeline for FY 2026**

The H-1B process follows a strict timeline. Here are the key dates:

- **March 1, 2025** – H-1B registration opens. Employers must create an account and submit registrations.
- **March 20, 2025** – Registration period closes.
- **Late March 2025** – USCIS conducts the lottery and notifies selected applicants.
- **April 1, 2025** – Filing period opens for selected petitions. Employers have **90 days** to submit complete petitions.
- **June 30, 2025** – Final deadline to submit petitions under the regular lottery.
- **July 1, 2025** – Applicants outside the U.S. can start obtaining visa stamps.
- **October 1, 2025** – Approved applicants can begin working in the U.S.

### **Tips for a Successful H-1B Application**

- **Register Early:** Given the short registration window, employers should prepare documents well in advance.
- **Ensure Compliance:** Work with an immigration attorney to avoid errors that could lead to rejection.
- **Consider Cap-Exempt Options:** If not selected in the lottery, explore alternatives such as **nonprofit or university-sponsored positions**, which are not subject to the cap.
- **Leverage STEM Expertise:** Applicants with STEM backgrounds may have an advantage, as many H-1B jobs fall under this category.

The FY 2026 H-1B lottery will be highly competitive, with demand expected to exceed the **85,000 available visas**. For personalized guidance, consulting an experienced immigration attorney is highly recommended.

**Takeaway:** For companies looking to bring in skilled professionals from overseas, the H-1B Visa Category offers an excellent opportunity to fill positions requiring a Bachelor's Degree. However, with high demand and a lottery system in place, it's crucial to act quickly and stay ahead of deadlines to maximize your chances of securing these valuable talent pools for your business. If you would like assistance with specific aspects of your H-1B application, such as document preparation or employer sponsorship contact [Alan J. Pollack](#).

#### **Attorney**

- Alan J. Pollack

#### **Practice**

- Employment Law