

PUBLICATION

H-1B Cap Alert – Key Dates For This Year's H-1B Registration Process

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It's that time of year again – H-1B CAP season! The United States Citizenship and Immigration Services (USCIS) announced that the initial registration period for H-1B CAP will open at noon Eastern on March 1, 2022 and will run through noon Eastern on March 18, 2022. During this period, prospective petitioners and representatives will be able to complete and submit their registrations using the USCIS H-1B registration system.

The USCIS online system for H-1B CAP registration will open for new employer "H-1B Registrant" account creation on **February 21, 2022**. Existing registration accounts created during last year's cap registration window may continue to be used for the FY 2023 registration period. Please be advised that the account creation function will remain open through the entire registration period.

If an employer plans to sponsor foreign nationals for H-1B CAP employment in FY 2023, it must have an active registration account as an **"H-1B Registrant"** in the USCIS system and provide its Baker Donelson Immigration team with the required H-1B candidate information. Planning ahead will help ensure that employers are able to complete the required registration steps by noon Eastern time on March 18, 2022. All H-1B candidates must be registered during this period to be entered in the FY 2023 H-1B CAP selection lotteries.

After the close of the registration period, USCIS will run two H-1B CAP lotteries between March 18 at 12:01PM ET and March 31, 2022: the first lottery will include all registered H-1B candidates, and USCIS will use this lottery to select enough registrations to meet the regular H-1B CAP of 65,000; the second lottery will include all registered advanced-degree CAP candidates who were not selected in the first lottery. USCIS will use this lottery to select enough registrations to meet the H-1B CAP exemption of 20,000 for holders of U.S. advanced degrees.

USCIS is expected to notify registrants and designated counsel of the lottery results by March 31, 2022. For each H-1B CAP registration, USCIS will send an email to the employer's authorized signatory and immigration counsel **and will indicate on the selection notice whether the applicant was selected under the advanced-degree or regular CAP.**

The H-1B filing period begins on April 1, 2022 and will end no earlier than June 30, 2022. All FY 2023 H-1B CAP petitions must be submitted during this prescribed period; USCIS will not accept late filings.

More information is available on the USCIS [website](#).

If your organization will need to create a new account or change the designated HR contact for an existing account, please reach out to your Baker Donelson [Immigration team member](#), who will be happy to provide you detailed account creation instructions. We will also guide you through the individual H-1B candidate registration process – employers are required to provide only a few details regarding each H-1B candidate they are sponsoring.

