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Practice Pointer

Frequently Asked Questions Regarding the Electronic H-1B Registration & Filing Process¹

February 28, 2023²

On December 6, 2019, USCIS announced the implementation of an electronic registration requirement for employers seeking to file H-1B cap-subject petitions for fiscal year (FY) 2021. Since that time, we have seen three registration processes from start to finish and the fourth was opened at noon (ET) on March 1, 2023. The following practice pointer addresses the most frequently asked questions regarding the electronic H-1B registration process based on information that is available to date.

Electronic Registration Process

1. On what website or platform will USCIS host the electronic H-1B registration process?

USCIS uses the [myUSCIS online portal](#) to conduct the electronic H-1B registration process. While legal representatives may create a myUSCIS account at any time due to their previous use of the same type of account available for other forms, USCIS opens the portal during the second half of February of each year for employers new to the registration process to create their own account. For more information on how to create a myUSCIS account, please see this [step-by-step guide](#) provided by AILA's Practice & Professionalism Center.

2. Do lawyers need to create a myUSCIS account for each client or can an attorney register one account to manage and file applications for all clients?

One attorney or accredited representative should have a single "Representative" account and should be able to manage multiple clients under that account. The system has an account recovery feature with a backup code and a series of security questions, which you should copy and store. You can use an existing myUSCIS account.

3. Can an attorney submitting registrations through their online account be signed into from multiple computers/IP addresses at the same time?

An attorney may be signed into their myUSCIS account from more than one computer and IP

¹ Special thanks to AILA's HQ Committee and USCIS Case Assistance Committee members, Lucy Cheung, Amy Erlbacher-Anderson, Lorna DeBono, Dagmar Butte, Paschal Nwokocha, for their contributions to this practice pointer.

² This document was updated to reflect the latest information available as of February 24, 2023 from its original version of September 15, 2020.

address.

4. Can multiple accounts be created under a single attorney's name, in case of system malfunctions or an account getting locked out?

Yes, but each account will need its own email address.

5. Can a petitioner/employer use the same email for two different myUSCIS account types?

No, a petitioner/employer cannot use the same email address for two different myUSCIS account types (Applicant/Petitioner/Requester vs. H-1B Registrant). A petitioner/employer must have two separate email addresses, with one of them for the H-1B Registrant type, to be able to participate in the H-1B electronic registration process. The petitioner/employer must provide the email used to set up the H-1B Registrant account to the attorney for the attorney to file the registration and Form G-28.

6. What information is required for the electronic registration process?

The electronic registration form requests basic information about the prospective petitioning company or organization and employee, including the following:

REGISTRANT INFORMATION:

- Legal name of the prospective petitioning company or organization
- The Doing Business As name(s) of the prospective petitioning company or organization, if applicable
- Employer identification number (EIN) of the prospective petitioning company or organization
- Primary U.S. office mailing address of the prospective petitioning company or organization
- Legal name (first, last, and middle names), title, and contact information (daytime phone number and email address) of the authorized signatory

BENEFICIARY INFORMATION:

- Beneficiary's legal name
- Beneficiary's gender
- Beneficiary's date of birth
- Whether consideration under the INA 214(g)(5)(C) advanced degree exemption is requested because the beneficiary has earned, or will earn prior to the filing of the petition, a master's or higher degree from a U.S. institution of higher education³
- Beneficiary's country of birth
- Beneficiary's country of citizenship
- Beneficiary's passport number

The system will not let you re-use beneficiary information from previous years and registrations. It will also time-out after 15 minutes idle, but should save the information input to that time.

A petition will not be rejected if it does not match the registration, but an explanation and supporting evidence must be included with the petition filing. For example, including a marriage certificate for a beneficiary who gets married in the interim.

7. Will any information regarding the offered position need to be provided as part of the electronic H-1B registration process?

No information regarding the offered position is currently required as part of the electronic registration process, such as the job title or the minimum job requirements. Nevertheless, some members believe it a best practice to evaluate the offered position and the credentials of the beneficiary in advance of submitting an electronic registration to ensure that the registration submitted is bona fide and non-frivolous.

8. Will an attestation be required as part of the electronic registration process?

Yes, at the time of submitting the electronic registration, the authorized signatory will be required to certify, under penalty of perjury, that they have reviewed the registration and that all of the information contained in the registration is complete, true and correct and that the authorized signatory, or the organization on whose behalf the registration is being submitted, intends to file an H-1B petition on behalf of the beneficiary named in the registration if the registration is selected. The authorized signatory is required to provide their electronic signature confirming they have read and agree to the statement by typing their full legal name into a box provided. In addition, the authorized signatory is required to confirm they can read and understand English and that they have read and understand every question and instruction on the registration.

For FY2024, the attestation adds the following: “I further certify that this registration (or these registrations) reflects a legitimate job offer and that I, or the organization on whose behalf this registration ... is being submitted, have 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 the USCIS discovers that the registrant did work with another filer, they will find the registration was not properly submitted and no petition may be filed. The USCIS can also revoke a petition after the fact and refer the registrant for prosecution.

In addition, a petitioner may only have one registration submitted per beneficiary per fiscal year. Once the initial registration period has closed, if the prospective petitioner has more than one registration submitted for the same beneficiary, USCIS will invalidate all registrations submitted for that beneficiary by that prospective petitioner or their authorized representative from the selection process. USCIS has provided a duplicate checker function to the electronic registration process that allows one to check if the registrant named in the draft submission previously submitted a registration for any of the beneficiaries included in that draft submission for the same fiscal year. While using this check does not guarantee that an employer will not submit a duplicate, it does compare the beneficiaries listed in the draft with any registrations previously submitted during the current registration period. It will not check for duplicates within that draft or between drafts. It only checks submitted (and paid) registrations from the same registrant or company for a

duplicate. Ultimately, the burden remains on the employer and their authorized representative to ensure that no duplicate registrations are submitted. To that end, USCIS also provides tool to download a .csv file and search for duplicate entries.

If a duplicate is discovered while registration period is still open, the attorney can go into the account and delete the extra submission(s) until there is only one registration for the beneficiary. USCIS will not refund the \$10 registration fee already paid for that deleted submission. If a duplicate is discovered after the registration period has closed, there is no way to correct this; and, USCIS will remove all registrations submitted for the beneficiary by, or on behalf of, that prospective petitioner from the selection process (and not refund the \$10 fee).

9. Will a Labor Condition Application (LCA) be required as part of the electronic registration process?

No, an LCA is not required to be completed prior to the electronic registration process. Some members, however, prepare and submit LCAs for beneficiaries in advance of the electronic registration process or shortly after the acceptance of the registration, as a certified LCA must be included with the H-1B petition filing. Members should strategize with their clients whether or not to file LCAs for H-1B cap-subject beneficiaries *in advance* of the selection process in order to file the H-1B petition promptly upon selection versus *after* the registration is selected in order to maximize the time on the LCA.

In addition, even if no LCA is filed in advance of the selection process, members should consider conducting a wage analysis for the proffered position prior to submitting the electronic registration. Failure to consider whether the petitioner is paying the required wage could result in USCIS selecting a registration that ultimately cannot be filed. As discussed in Question 31 below, registrations that are selected but ultimately not filed could be flagged by USCIS for a potential fraud investigation.

10. May attorneys or law firms submit electronic registrations on behalf of clients?

Yes, attorneys may submit registrations on behalf of clients provided they have a Form G-28 submitted for each client. The process for electronically submitting Form G-28 for purposes of this electronic registration process mirrors the process by which Form G-28s are currently submitted to USCIS for electronic filings through the [myUSCIS portal](#), such as for electronically filed Form I-90s.

The method for submitting Form G-28 for the electronic registration process involves a two-factor authorization process. After the attorney completes the data entry process for the H-1B registration, Form G-28 data may be entered. After the attorney prepares the registration and Form G-28 electronically, a one-time passcode will be generated. The passcode will be valid for 30 days. The attorney must share the one-time electronic passcode with the client who then must login to their myUSCIS account and select “Enter Representative Passcode” to review and accept the registration and the attorney’s Form G-28. The employer/H-1B registrant must review and accept both the registration and Form G-28, which are *two separate forms* in the process. After accepting Form G-28, the client will be directed to review registration information and either accept or decline the registration.

If the registration is accepted, the registrant's authorized signatory will provide their electronic signature by typing their full legal name into a designated box, as well as checking a box stating that they understand English and the information in the form. After the registrant electronically confirms the registration and Form G-28 information, both forms will return to the attorney's myUSCIS account for submission of the fee and registration.

If the registration is rejected by the client (i.e., due to incorrect registration information), the attorney must go back into the registration page to resubmit the information before the client could go back into their account with the same representative passcode to confirm the registration again.

For more information regarding the Form G-28 process, please see the [PowerPoint presentation](#) from USCIS's webinar. Please note that clients must have a myUSCIS account (account type: "I am an H-1B registrant") in order to manage the G-28 process online.

11. On what date will the registration process open?

USCIS will open the initial registration period on March 1, 2023 at noon (ET).

12. How long will the registration filing window remain open?

The FY2024 registration period will open on March 1, 2023 at noon (ET) and run through noon (ET) on March 17, 2023. USCIS indicated that all registrations submitted during the registration period will be included in the lottery regardless of whether a registration was submitted on March 1 or March 17, even if USCIS determines it has received more than enough registrations to meet the numerical limitations prior to this date. However, it is recommended not to wait until the last minute to submit a registration.

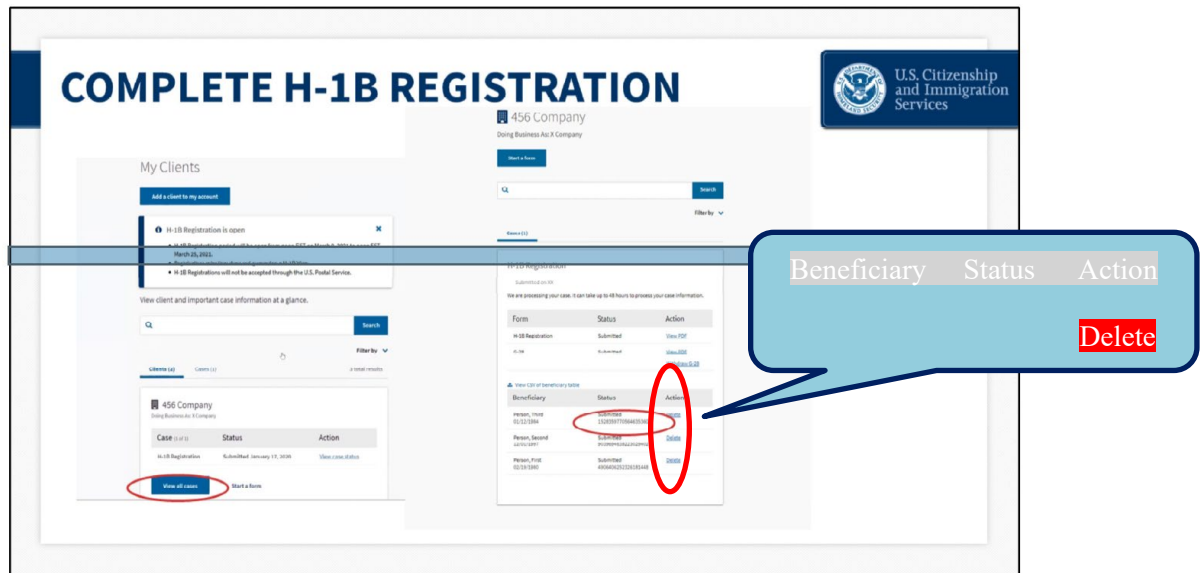
13. Is there an option to draft the registration earlier than the registration period for attorney or client to review?

Representatives and registrants must wait until March 1st to draft and submit any H-1B cap registration.

14. May I edit a registration *after* it has been submitted?

During the registration period, USCIS will permit users to review and edit the registrations of beneficiaries as many times as needed *before* the registration is submitted.

Once a registration has been submitted, it cannot be edited. However, the system permits a registration of an individual beneficiary to be deleted, if needed, without impacting the registrations of other beneficiaries in the registration batch. Registrants can delete the registration of an individual beneficiary by clicking a "delete" button next to each beneficiary's name. Please refer to the below screenshot of slide 76 from USCIS's FY2022 webinar.



15. Once you submit a registration, can you later add more beneficiaries if still within the registration period?

During the registration period, USCIS permits registrants to continue to submit registrations for additional beneficiaries as needed.

16. Is there a limit on the total number of beneficiaries that a prospective petitioner may register?

USCIS placed no limit on the total number of beneficiaries that a prospective petitioner may register for the H-1B visa lottery; however, each registration batch can only accommodate up to 250 beneficiaries at a time. Additional beneficiaries can be added to subsequent registration batches for the same petitioner.

17. If an employer submits multiple beneficiaries, let's say ten names, per registration, and later identifies that the employer needs to withdraw one of those ten names, does the system force the employer to withdraw all ten names that had been submitted in that registration, thereby requiring the employer to resubmit the nine names that it did not desire to withdraw from the registration system?

Upon submission of the registration and payment of the registration fee, a prospective petitioner will be able to see a list of all beneficiaries they have registered. Each beneficiary will be assigned a 19-digit confirmation number. Prospective petitioners have the option to delete a specific beneficiary from the registration, if needed, by clicking "delete" without impacting the other beneficiaries that the prospective petitioner has registered. Please see Questions 13 above. After a registration is submitted, USCIS will not refund the fee paid for a deleted beneficiary.

Registration Fee Payment

18. Is a registration fee required?

Yes. USCIS requires a \$10 non-refundable fee per beneficiary for each registration submitted. Please note that USCIS has [published a proposed rule for fee increases](#) on January 3, 2023 that would significantly increase the H-1B registration fee.

19. What payment method will USCIS accept for the \$10 registration fee?

USCIS allows payment of the registration fee using the [Pay.gov portal](#). The registration system will permit payments to be made from a bank account (checking or savings), a credit card, or debit card. No Automated Clearing House (ACH) fee will be charged. The registration fee cannot be made using cash, a certified bank check, or money order. Employers do not need to create a pay.gov account to pay the fee, as they only need to provide basic payment details. If payment fails, you should receive a notice.

For those employers/H-1B registrants with multiple beneficiaries, the U.S. Department of Treasury has approved a temporary increase in the daily credit card transaction limit from \$24,999.99 to \$39,999.99 per day for the FY 2024 H-1B cap season. This temporary increase is in response to the volume of previous H-1B registrations that exceeded the daily credit card limit.

20. If an employer is registering multiple beneficiaries, can the employer pay for all of their registrations at one time?

Yes, the registration system allows for batch fee payments for up to 250 registrations to be submitted simultaneously. Corporate and payment information must only be entered one time for each batch of registrations. However, the corporate and payment information does not carry over to subsequent registrations.

**21. Who can pay the \$10 registration fee (e.g., the employer, the legal representative)?
Will beneficiaries be allowed to pay the \$10 registration fee?**

Either Registrants or Form G-28 representatives may pay the registration fee via the Pay.gov portal. In the registration fee final rule, it is noted that “the fee paid for the registration is a responsibility of the petitioning employer, not the foreign worker.”³

Registration Selection Process

22. When will USCIS run the H-1B lottery?

The lottery should be run no later than March 31st.

23. How does USCIS notify attorneys and employers of selection in the lottery?

After the initial registration period closes, USCIS conducts the initial selection process. The account holder who submitted the selected registration receives a notification from USCIS via email or text message (depending on the preferred method of communication the account holder

³ 84 FR 60307 (Nov. 8, 2019); *see also* 20 CFR 655.731(c)(9), (10) and (11), which indicates that H-1B attorney fees and filing fees are considered to be business expenses.

selected at the time of creating their myUSCIS account) stating that there is activity in their myUSCIS account and that they will need to log in to their myUSCIS account to see more details.

The account holder's myUSCIS online account will indicate one of the four following statuses for each beneficiary registered:

Submitted: A registration status is "Submitted" after the initial selection process has been completed. "Submitted" registrations will remain in consideration for selection until either USCIS determines it has received a sufficient number of petitions to allocate all H-1B visas for the fiscal year or the end of the fiscal year, whichever occurs earlier. At that point in time, all registrations will indicate a status of either Selected, Not Selected, or Denied.

Selected: Selected to file an FY 2024 H-1B cap-subject petition.

Not Selected: Not selected for this fiscal year.

- Please note that a registration will not reflect a status of "Not Selected" until either USCIS determines that it has received a sufficient number of petitions to allocate all H-1B visas for the fiscal year or the conclusion of the fiscal year. In the event that USCIS determines that it needs to select additional registrations to meet the H-1B regular cap or the advanced degree exemption allocation, USCIS will select the additional registrations from the "Submitted" registrations to meet the H-1B regular cap or advanced degree exemption allocation.

Denied: USCIS will indicate "Denied" in situations where the same registrant or representative submitted more than one registration on the beneficiary's behalf for the same fiscal year. All registrations the registrant or representative submitted on behalf of the same beneficiary for the same fiscal year will be deemed invalid.

USCIS indicated that it intends to notify registrants with selected registrations no later than March 31, 2023. Registrants and attorneys may select their preferred method of notification when setting up their myUSCIS account.

24. What happens to registrations not selected in the March random selection?

If USCIS receives more than enough registrations than needed to meet the regular H-1B cap and advanced degree exemption, all registrations that were **not** selected in the lottery will remain in "Submitted" status until USCIS determines that it has received sufficient petitions for the applicable fiscal year. A registration will reflect a status of "Submitted" until that time, at which point, the registration status will be changed to "Not Selected" and a non-selection notice will be added to the myUSCIS account. In the event that USCIS determines that it needs to increase the number of selected registrations in order to meet the H-1B regular cap or the advanced degree exemption allocation, USCIS will select from the remaining "Submitted" registrations to meet the H-1B regular cap or advanced degree exemption allocation, or re-open the registration period if additional registrations are needed, pursuant to 8 CFR 214.2(h)(8)(iii)(A)(7).

25. Will there be a notice provided to registrants who are not selected?

Yes, the account holder who submitted the selected registration will receive a notification from USCIS stating that there is activity in their myUSCIS account and that they need to log in to their myUSCIS account to see more details. A “non-selection notice” will be added to the Registrant/Representative’s myUSCIS account for each registrant not selected in the lottery. Please also see Question 23 above.

H-1B Petition Filing Issues

26. When will Petitioners be able to begin filing petitions for selected registrants? How long will they have to file the petition once selected?

Registrations selected in the initial round of selections will have a 90-day filing window from April 1 to June 30 in which the Petitioner must file the H-1B cap-subject petition.

Registrations selected in the subsequent round(s) of selections conducted, if any, would be issued selection notices indicating the designated filing period, which should also be for a period of 90 days from the initial filing date indicated on the notice.

USCIS states that petitions will be adjudicated by USCIS in the order in which they are received. Note: Because USCIS will only select enough registrations necessary to meet the applicable numerical limitations, as long as a petition is properly filed during the petition filing window, it will be adjudicated.

27. At the time of filing the H-1B petition with USCIS, how will selected registrants indicate to USCIS that they have been selected in the H-1B lottery?

For registrants who have been selected, USCIS provides a “selection notice” made available in the account holder’s myUSCIS account. The selection notice will identify the 90-day filing window and designate the Service Center where the petitioner must file the H-1B petition. The petitioner must file their petition at the designated Service Center identified in the selection notice and must include a copy of the selection notice with the H-1B filing as well as include the beneficiary’s confirmation number on the H Classification Supplement. See Item 27, below.

28. How is the selection of the registration indicated on the Form I-129?

The 11/02/2022 edition of Form I-129 contains a question on the H Classification Supplement form requesting information about the beneficiary’s confirmation number from the H-1B registration selection notice. Please see a screen shot of the question on the H Supplement provided below:

5. If you selected **a.** or **d.** in **Item Number 4.**, and are filing an H-1B cap petition (including a petition under the U.S. advanced degree exemption), provide the beneficiary Confirmation Number from the H-1B Registration Selection Notice for the beneficiary named in this petition (if applicable).



29. What happens if a petitioner discovers a typographical error was made in the registration?

If typographical errors were made during the registration process, those will be reflected on the selection notice. Typographical errors may not be fatal to an H-1B petition so long as the petitioner can demonstrate through other matching information (e.g., passport number, country of citizenship) that the beneficiary listed on the Form I-129 is, in fact, the individual listed on the selection notice.

30. Will petitioners be able to request premium processing of H-1B cap subject petitions?

In the past, USCIS imposed a temporary suspension of the premium processing service for H-1B cap subject petitions. However, since the FY2022 H-1B cap filing season, premium processing has been available. Practitioners are advised to check the USCIS website to verify the availability of premium processing: [How Do I Request Premium Processing? | USCIS.](#)

31. May I submit a pre-paid mailer to USCIS with my cap-subject H-1B petition for faster mailing of the H-1B approval notice?

During some past H-1B filing seasons, USCIS has announced that they will **not** use pre-paid mailers to send any communication or final notices for any cases filed with premium processing and instead will use first-class mail to send cap-subject H-1B petition approval notices. However, that announcement has yet to be made for FY 2024. This section will be updated once and if an announcement on this is made.

32. The regulations seem to indicate that cases that are not filed will be flagged for a potential fraud review, but is there a mechanism to deal with situation where cases aren't filed for legitimate reasons?

DHS has not indicated the exact process through which fraudulent cases will be investigated or any method of redress. However, in the preamble to the H-1B registration final rule, DHS notes that cases that demonstrate a pattern and practice of potential abuse of the registration system will involve a case-by-case review of the facts involved, including any mitigating facts or circumstances. It further notes that registrants that have been found to engage in a pattern and practice of submitting registrations for which they do not file a petition following selection could be subject to monetary fines or criminal penalties pursuant to 18 U.S.C. 1001(a)(3) for making false statements and misrepresentations.

33. If a registrant is selected and has a bona fide reason for a delay in filing past the 90 days, what mechanism can be used to communicate the reasons for the delay?

The preamble to the H-1B registration final rule indicates that “After ... selection, petitioners will be notified by USCIS of the exact amount of time allowed for filing the petition, which will in all cases be at least 90 days, but may be longer at the discretion of USCIS.”⁴

⁴ 84 Fed. Reg. 888 (Jan. 31, 2019) at page 910.

As of the date of this practice pointer, the USCIS had not announced a formal mechanism for submitting a petition beyond the 90-day filing period. USCIS has not officially indicated that it will consider *nunc pro tunc* requests along with a late petition filing. For example, USCIS provided the following response to a liaison question on this topic:

- **AILA Question: Could USCIS clarify what happens to registrations from the first round of selections for which the H-1B cap-subject petition was rejected and reached the petitioner after the filing window had closed? Can an H-1B cap-subject petition be re-submitted for the same individual based on the initial registration selection if a new filing window opens or has that registration been forfeited?**

USCIS Response: No. A petitioner is only eligible to refile their rejected petition during the designated 90-day filing window on their selection notice.

- 34. If a company has multiple entities (e.g., subsidiary, affiliate, and parent), can each entity submit a registration if they have a Federal Employer Identification Number (FEIN)?**

The answer to this question is the same for a normal paper form H-1B and online registration. As long as there is a legitimate business need for each petition/petitioner and there are two (or more) real and separate job opportunities, then each entity can submit a registration for the same beneficiary. Each petitioner must be able to establish the legitimate business need. If not, the petitioner will risk having the approvals for all the cap-subject petitions filed by “related entities” for the same beneficiary denied or revoked.⁵

In response to a stakeholder question, USCIS indicated that an organization with multiple entities/employers may have a one-person act as the authorized signatory for multiple entities/employers, but a unique email address and a separate myUSCIS account is required for each entity/employer.

- 35. Will there be a paper filing registration option or is this H-1B registration lottery process exclusively online?**

No, registrations must be submitted electronically. Paper filed registrations will not be accepted through the postal service or otherwise.

H-1B Registrations Selected in a Second (or More) Round of Selections

- 36. If there is a second round of registration selections, what should I keep in mind when submitting the H-1B petition?**

As stated on the [USCIS website](#), “*H-1B cap petitions and advanced degree exemption petitions for the FY 2024 cap must include an employment start date of no earlier than Oct. 1, 2023. You must indicate a start date of Oct. 1, 2023 or later (and six months or less from the receipt date of*

⁵ See PM-602-0169 by USCIS posted on March 23, 2018 relating to 8 CFR 214.2(h)(2)(i)(G) addressing the adopted AAO decision in *Matter of S-Inc.*

the petition) on your petition or your petition will be rejected or denied. Do not file petitions earlier than six months before the requested employment start date. We will reject H-1B petitions requesting a start date of “As Soon As Possible” or “ASAP.””.

USCIS has indicated that it would not reject petitions filed after October 1, of a given filing year, even if the accompanying LCA had a start date **after** October 1 of that year.

37. How should a registrant with a selected registration notify USCIS if they do not intend to file a petition?

USCIS has advised that, because no H-1B petition will be filed, it will have no paper file that it can use to match the notification with the registration. USCIS suggested that the employer keep documentation of the reason for not filing, so that the employer would be able to show the documentation if USCIS has questions.

F-1 Student Issues

38. What effect will the H-1B cap registration process have on H-1B petitions for beneficiaries who are seeking cap-gap protection?

H-1B cap-gap benefits only attach upon filing the H-1B cap petition, not upon filing the H-1B electronic registration. Therefore, only those individuals selected through the H-1B registration process and who have an H-1B cap petition requesting an October 1 start date timely-filed on their behalf, will have their duration of status, and any applicable employment authorization, automatically extended until October 1, *unless* the petition has been rejected, denied, revoked or withdrawn prior to that date.

Similar to previous H-1B cap seasons, an F-1 student must stop working on October 1 if the H-1B cap-subject petition has yet to be adjudicated.

Degree Issues

39. Is a beneficiary-required to have completed the qualifying degree requirement at the time of electronic registration or at the time of filing the H-1B petition?

The degree must be obtained by the time of filing the H-1B petition. The degree does not need to be obtained by the time of electronic registration. USCIS states multiple times in the preamble to the H-1B registration final rule that establishing eligibility is not a requirement for registration and that it is simply an “antecedent procedural requirement to properly file the petition.”⁹ This would also be consistent with 8 CFR §. 103.2(b)(1) which requires that eligibility must be established at the time of filing the benefit request.

Importantly, the question in the H-1B registration tool regarding the H-1B master’s cap exemption reads “Are you requesting consideration under the INA 214(g)(5)(C) advanced degree exemption because the beneficiary has earned, ***or will earn prior to the filing of the petition***, a master’s or higher degree from a U.S. institution of higher education” (emphasis added).

40. Can a registration be changed to the regular cap if the beneficiary has not yet graduated with the necessary degree?

On the USCIS website regarding the [H-1B Electronic Registration Process](#), USCIS notes that: "If the beneficiary is selected under the advance degree cap and has not earned a qualifying master's or higher degree from a U.S. institution of higher education at the time the petition is filed, the petition will be denied or rejected."

Specifically, USCIS addresses this fact pattern in its Q&A section as follows:

Q. If you are registering for the master's cap based on the expectation that the beneficiary will earn a qualifying advanced degree, and you are actually selected under the master's cap, but, the beneficiary does not obtain their qualifying advanced degree, is there a risk that the cap-subject H-1B petition for that beneficiary will be denied?

A: If a registration is submitted requesting consideration under the INA 214(g)(5)(C) advanced degree exemption because the beneficiary has earned, or will earn prior to the filing of the petition, a master's or higher degree from a U.S. institution of higher education, and the registration is selected under the advanced degree exemption, the beneficiary must be eligible for the advanced degree exemption at the time of filing the I-129 petition. If the beneficiary is selected under the advance degree cap and has not earned a qualifying master's or higher degree from a U.S. institution of higher education at the time the petition is filed, the petition will be denied or rejected.

Technical Issues

41. If we encounter technical issues with completing and submitting the registration form online, who can we contact to address the issue?

USCIS allows stakeholders encountering technical issues during the H-1B registration process to call the USCIS Contact Center at 1-800-375-5283 for assistance. No separate phone line for the H-1B registration process was setup. Technical support and password resets are available at <https://my.uscis.gov/account/needhelp>

42. In the event of an unexpected technical problem, could the registration process be suspended for an H-1B cap-filing season?

USCIS has previously indicated that if there are technical issues that prevent electronic submission of registrations, USCIS will notify the public of the issue via the USCIS website and provide guidance pertaining to filing applications.

