

# GMS Flash Alert

Immigration

2024-162 | August 5, 2024

## United States – Second H-1B Lottery Announced for FY2025

On July 30, 2024, the United States Citizenship and Immigration Services (USCIS) announced it would conduct a second random selection of previously-submitted registrations for the regular H-1B cap cycle in FY2025<sup>1</sup>. Selected registrations are eligible to file H-1B cap eligible petitions. Petitioners are being notified of selected registrations and provided filing instructions through their USCIS online account. The filing period listed in the second lottery notifications received so far is August 8, 2024 to November 7, 2024.

### WHY THIS MATTERS

A second H-1B cap lottery is welcome news to employers and potential H-1B beneficiaries. Additional registrants who were not selected in the initial selection period in March 2024, may benefit if selected in this second round. Employers and legal representatives should continuously monitor their online accounts for any updates on selected registrations to determine the appropriate filing strategy.

### More Details

USCIS will not conduct an advanced degree (Master's cap) selection because sufficient H-1B petitions were filed on the basis of selected advanced degree registrations for FY 2025.<sup>2</sup> Nevertheless, this second round of selections will include registrations that indicated eligibility for the Master's cap, as well as registrations only eligible for the regular cap.

### KPMG INSIGHTS

Employers with newly-selected H-1B cap registrations are encouraged to work closely with immigration counsel to ensure that H-1B cap petitions are filed by the deadline. USCIS will accept both paper-based and online filings of H-1B cap-subject petitions, which must be received by the agency within the required filing timeframe, along with a copy of the registration selection notice. At this time, it is unknown whether a third lottery will take place for FY2025. For more information on the H-1B cap, USCIS has dedicated a H-1B Cap Season page.<sup>3</sup>

KPMG Law LLP in Canada is tracking this matter closely. We will endeavor to keep readers of *GMS Flash Alert* posted on any important developments as and when they occur.

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**FOOTNOTES:**

- 1 See U.S. Citizenship and Immigration Services, [“USCIS Will Conduct Second Random Selection for Regular Cap from Previously Submitted FY 2025 H-1B Cap Registrations | USCIS”](#) (July 30, 2024).
- 2 Id.
- 3 See U.S. Citizenship and Immigration Services, [“H-1B Cap Season | USCIS”](#) (Last updated June 29, 2024).

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## Contact us

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*\* Please note the KPMG International member firm in the United States does not provide immigration or labour law services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

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