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DHS Proposes Minimal Registration Fee for Petitioners Seeking to File H-1B Cap-Subject Petitions

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Submitted by Chief Editor on Sep 3rd 2019

The Department of Homeland Security (DHS) today announced a [notice of proposed rulemaking](#) ^[2] that would require petitioners seeking to file H-1B cap-subject petitions to pay a \$10 fee for each electronic registration they submit to USCIS.

Because USCIS must expend resources to implement and maintain the H-1B registration system, and because USCIS operations are funded by fees collected for adjudication and naturalization services, DHS is proposing an appropriate, nominal fee for submitting H-1B registrations to recover those costs.

On Jan. 31, DHS [published a final rule](#) ^[3] requiring petitioners seeking to file H-1B cap-subject petitions, including those eligible for the advanced degree exemption, to first electronically register with USCIS during a designated registration period, unless the center suspends that requirement. The center also stated in that final rule that the center was suspending the registration requirement for the fiscal year (FY) 2020 cap season, to complete required user testing of the new H-1B registration system and otherwise ensure the system and process work correctly.

In that final rule, DHS also reordered the cap selection process to increase the chance of selecting petitioners with a master's degree or higher from a U.S. institution of higher education. Preliminary data shows that the number of petitions for U.S. advanced degree holders selected toward the FY 2020 numerical allocations increased by more than 11% over the year before.

H-1B visas allow skilled workers in certain specialty occupations to temporarily live and work in the United States.

Additional information on the proposed rule is available in the Federal Register. Public comments will be accepted from Sept. 4 (when the proposed rule publishes in the Federal Register) through Oct. 4.

Nonimmigrant Visas:

[H-1 Visa](#) ^[4]

[General Nonimmigrant Visa](#) ^[5]

Agency:

[DHS](#) ^[6]

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Links:

- [1] <https://immigration.com/news/dhs-proposes-minimal-registration-fee-petitioners-seeking-file-h-1b-cap-subject-petitions>
- [2] <https://www.federalregister.gov/documents/2019/09/04/2019-18962/registration-fee-requirement-for-petitioners-seeking-to-file-h-1b-petitions-on-behalf-of-cap-subject>
- [3] <https://www.uscis.gov/news/news-releases/dhs-announces-final-rule-a-more-effective-and-efficient-h-1b-visa-program>
- [4] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-1-visa>
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