

Blog Post

USCIS Opens FY-2027 H-1B Cap Registration: Key Updates for Employers

March 6, 2026

By [Andres E. Urdaneta Brylkin](#)

U.S. Citizenship and Immigration Services (USCIS) has announced that the FY-2027 H-1B cap registration period will run from March 4, 2026, through March 19, 2026. During this period, employers seeking to sponsor foreign national professionals may submit electronic registrations through the USCIS online portal to enter candidates into the annual H-1B selection process.

The FY-2027 cap season introduces notable changes to the H-1B selection framework, including the implementation of a wage-weighted lottery system and the continued application of a \$100,000 payment requirement for certain H-1B petitions approved for consular processing.

Wage-Weighted Selection System

Beginning with the FY-2027 cap season, the Department of Homeland Security has implemented a weighted lottery system tied to Department of Labor prevailing wage levels.

Under this system, the offered salary directly affects the probability of selection in the H-1B lottery. Registrations corresponding to higher prevailing wage levels receive additional entries in the lottery pool.

Wage Levels:

Related People

[Andres E. Urdaneta Brylkin](#)

Related Work

[Immigration Strategic Planning and Compliance Labor and Employment](#)

Related Offices

[Denver](#)

HR Defense

[Akerman Perspectives on the Latest Developments in Labor and Employment Law](#)

[Visit this Akerman blog](#)

- Wage Level I (entry-level positions): one lottery entry
- Wage Level II: two lottery entries
- Wage Level III: three lottery entries
- Wage Level IV (highest wage tier): four lottery entries

This selection process prioritizes positions offering higher wages in the U.S. labor market. While entry-level roles remain eligible for selection, registrations associated with higher prevailing wage levels will receive greater weighting in the selection process.

Overview of the H-1B Cap

The H-1B program allows U.S. employers to temporarily employ foreign professionals in specialty occupations. Federal law limits the number of new H-1B visas available each fiscal year.

The annual cap currently includes:

- 65,000 visas under the regular H-1B cap, and
- 20,000 additional visas reserved for beneficiaries who hold a U.S. master's degree or higher from an accredited U.S. institution.

Employers must submit an electronic registration for each candidate during the registration window. If USCIS receives more registrations than available visa numbers, the agency will conduct a random selection process to determine which registrations may proceed to the petition filing stage.

Employers whose registrations are selected will have a 90-day filing window beginning April 1 to submit the full H-1B petition on behalf of the foreign beneficiary.

Cap-Gap Considerations for F-1 Students

If an H-1B petition requesting change of status is timely filed for a selected beneficiary before the

expiration of the student's OPT authorization, the individual's employment authorization and F-1 status may be automatically extended under the cap-gap provisions.

Timely filing is therefore critical to help ensure continuity of employment authorization and minimize operational disruption.

Prevailing Wage Level Determination

Under the new weighted lottery system, the prevailing wage level associated with the offered salary determines how many entries a registration receives in the lottery.

Prevailing wage levels are determined based on several factors, including:

- The Standard Occupational Classification (SOC) code assigned to the position;
- The geographic area of intended employment; and
- The salary offered to the beneficiary.

Employers must identify the applicable prevailing wage level when submitting the H-1B registration.

\$100,000 Payment Requirement for Certain Petitions

A presidential proclamation issued on September 19, 2025, titled "Restriction on Entry of Certain Nonimmigrant Workers," introduced a \$100,000 payment requirement for certain H-1B petitions filed on or after September 21, 2025.

This payment requirement does not apply to all H-1B petitions. It generally applies when the petition is approved for consular processing rather than as a change of status within the United States.

Examples of circumstances where the payment requirement may apply include:

- The beneficiary is located outside the United States at the time of filing;
- The petition requests consular notification; or
- USCIS determines that the beneficiary is not eligible to change status in the United States, resulting in approval for consular processing.

Petitions filed for beneficiaries already in the United States who are eligible for change of status, including many individuals in F-1 student status, generally will not trigger the \$100,000 payment requirement.

Conclusion

The FY-2027 H-1B cap season introduces meaningful changes to the H-1B selection process through the implementation of a wage-weighted lottery system and the continued application of the \$100,000 payment requirement for certain consular processing cases. Employers participating in this year's cap season should ensure that registrations accurately reflect the offered wage level and the intended employment details.

For additional guidance regarding the FY-2027 H-1B cap season or assistance with registration and petition preparation, please contact an Akerman Immigration Planning & Compliance team member, Labor & Employment Practice Group.

This information is intended to inform firm clients and friends about legal developments, including recent decisions of various courts and administrative bodies. Nothing in this Practice Update should be construed as legal advice or a legal opinion, and readers should not act upon the information contained in this Practice Update without seeking the advice of legal counsel. Prior results do not guarantee a similar outcome.